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Daily Digest

Tuesday, January 20, 2004

Senate

Chamber Action

Routine Proceedings, pages 1–63

Measures Introduced: Four bills and one resolution were introduced, as follows: S. 2006–2009, and S. Res. 284. (S. 2005 was reported as an original bill on January 9.) **Page 54**

Measures Reported:

Reported on Friday, January 9, during the adjournment:

S. 2005, to temporarily replace the use by pension plans of the 30-year treasury bond rate with a composite corporate rate, and to establish a commission on defined benefit plans. (S. Rept. No. 108–221)

S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, with an amendment in the nature of a substitute. (S. Rept. No. 108–222) **Page 54**

Measures Passed:

Providing for a Joint Session of Congress: Senate agreed to H. Con. Res. 349, providing for a joint session of Congress to receive a message from the President on the State of the Union. **Page 22**

Commemorating Former Senator William V. Roth, Jr.: Senate agreed to S. Res. 284, commemorating the life of William V. Roth, Jr., former member of the United States Senate from the State of Delaware. **Page 22**

Agriculture Appropriations Act (Omnibus Appropriations)—Conference Report: Senate resumed consideration of the conference report to accompany H.R. 2673, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004. **Page 3**

During consideration of this conference report today, Senate also took the following action:

By 48 yeas to 45 nays (Vote No. 1), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate failed to agree to the motion to close further debate on the conference report. **Page 21**

Subsequently, a motion to reconsider the vote by which cloture was not invoked was entered. **Page 21**

A unanimous-consent agreement was reached providing for further consideration of the conference report at 10 a.m., on Wednesday, January 21, 2004, with the time until 6 p.m. equally divided between the Chairman and Ranking Member of the Appropriations Committee or their designees; further that Senator Byrd be recognized at 12 noon to speak for up to 2 hours and Senator McCain be recognized at 2 p.m. to speak for 1 hour. **Page 62**

Appointments:

U.S.-China Economic Security Review Commission: The Chair, on behalf of the President pro tempore, pursuant to Public Law 106–398, as amended by Public Law 108–7, in accordance with the qualifications specified under section 1237(E) of Public Law 106–398, and upon the recommendation of the Democratic Leader, in consultation with the ranking members of the Senate Committee on Armed Services and the Senate Committee on Finance, reappointed the following individual to the United States-China Economic Security Review Commission: William A. Reinsch of Maryland, for a term expiring December 31, 2005. **Page 62**

U.S. Military Academy: The Chair, on behalf of the Majority Leader, pursuant to 10 U.S.C. 4355(a), appointed Senator Reed, from the Armed Services Committee, to the Board of Visitors of the U.S. Military Academy. **Page 62**

U.S. Naval Academy: The Chair, on behalf of the Majority Leader, pursuant to 10 U.S.C. 6968(a), appointed Senator McCain, from the Armed Services Committee, to the Board of Visitors of the U.S. Naval Academy. **Page 62**

U.S. Air Force Academy: The Chair, on behalf of the Majority Leader, pursuant to 10 U.S.C. 9355(a), appointed Senator Allard, from the Armed Services Committee, to the Board of Visitors of the U.S. Air Force Academy. **Page 62**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting the report on the State of the Union delivered to a Joint Session of Congress on January 20, 2004; which was ordered to lie on the table. (PM–59) **Page 35**

Nominations Received: Senate received the following nominations:

Claude A. Allen, of Virginia, to be United States Circuit Judge for the Fourth Circuit.

Paul S. Diamond, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Robert Bryan Harwell, of South Carolina, to be United States District Judge for the District of South Carolina.

George P. Schiavelli, of California, to be United States District Judge for the Central District of California.

Page 63

Messages From the House: **Page 39**

Measures Read First Time: **Page 39**

Enrolled Bills Signed: **Page 39**

Executive Communications: **Page 39**

Additional Cosponsors: **Page 55**

Statements on Introduced Bills/Resolutions: **Page 56**

Additional Statements: **Page 32**

Amendments Submitted: **Page 59**

Record Votes: One record vote was taken today. (Total—1) **Page 21**

Adjournment: Senate convened the Second Session of the One Hundred Eighth Congress at 12 noon, and as a further mark of respect to the memory of the late Honorable William V. Roth, Jr., former United States Senator from the State of Delaware, in accordance with S. Res. 284, adjourned at 10:13 p.m., until 10 a.m., on Wednesday, January 21, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 62.)

Committee Meetings

OVERTIME PAY

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies concluded a hearing to examine the Department of Labor's proposed rule on overtime pay, after receiving testimony from Elaine L. Chao, Secretary of Labor; Jared Bernstein, Economic Policy Institute, Ronald Bird, Employment Policy Foundation, Andrew J. McDevitt, American Payroll Association, Patti Hefner, on behalf of the American Nurses Association, Richard L. Trumka, AFL–CIO, and David S. Fortney, Fortney and Scott, all of Washington, D.C.

NORTH KOREAN NUCLEAR DEVELOPMENTS

Committee on Foreign Relations: Committee met in closed session to receive a briefing on North Korean nuclear developments and the Six-Power Talks from Siegfried Hecker, Los Alamos National Laboratory, Los Alamos, New Mexico; and Keith Luse and Frank Jannuzi, both of the Senate Committee on Foreign Relations.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 3701–3711; and 9 resolutions, H.J. Res. 84–85; H. Con. Res. 343, and H. Res. 489–494, were introduced. **Page 99**

Additional Cosponsors: **Page 100**

Reports Filed: Reports were filed as follows today:

Filed on December 8, 2003, H.R. 2844, to require States to hold special elections to fill vacancies in the House of Representatives not later than 21 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances, amended (H. Rept. 108–404, Pt. 1); and

Filed on December 8, 2003, H.R. 2734, to authorize appropriations for the civil aviation research and development projects and activities of the Federal Aviation Administration, amended (H. Rept. 108–405, Pt. 1).

Convening of the Second Session of the One Hundred Eighth Congress: The Speaker called the House to order and ascertained the presence of a quorum (321 present, Roll No. 1). **Page 64**

Resignation from Congress: Read a letter from Representative William J. Janklow wherein he notified the Speaker of his resignation as Congressman for the State of South Dakota, effective 11:59 p.m. on January 20, 2004. **Page 65**

Resignation from the Democratic Caucus: Read a letter from Representative Menendez wherein he announced that Representative Hall of Texas resigned from the Democratic Caucus, effective January 5, 2004. **Page 65**

Committee Election Vacated: Read a letter from the Speaker wherein he announced that Representative Hall's (TX) election to the Committee on Science has been vacated effective January 5, 2004. **Page 65**

Committee Election Vacated: Read a letter from the Speaker wherein he announced that Representative Hall's (TX) election to the Committee on Energy and Commerce has been vacated effective January 5, 2004. **Page 65**

Committee to Notify the President that a Quorum of Each House Has Assembled: The House agreed to H. Res. 486, authorizing the Speaker to appoint a committee to join with a committee on the part of the Senate to notify the President that a quorum of each House has assembled, and Congress is ready to receive any communication that he may please to make. Subsequently, the Speaker appointed Majority Leader DeLay and Minority Leader Pelosi to the Committee. Later, the Committee reported to the House that the President had been notified. **Pages 65, 67**

Notifying the Senate that a Quorum of the House is Present: The House agreed to H. Res. 487, to authorize the Clerk of the House to inform the Senate that a quorum of the House is present and that the House is ready to proceed with business. Page 65

Meeting Hour: The House agreed to H. Res. 488, establishing the hour of daily meeting of the House. Page 66

State of the Union Message: The House agreed to H. Con. Res. 349, providing for a joint session of Congress to receive a message from the President on the state of the Union on Tuesday, January 20, 2004 at 9 p.m. Page 66

Morning Hour Debate: Agreed by unanimous consent to authority for morning hour debate on the legislative days of Monday and Tuesday. Page 66

Extension of Remarks: Agreed by unanimous consent to authority for Members to extend their remarks and include extraneous material in the Congressional Record. Page 66

Calendar Wednesday: Agreed by unanimous consent to dispense with the Calendar Wednesday business of Wednesday, January 21, 2004. Page 66

United States-China Review Commission: Read a letter from the Minority Leader wherein she announced her appointment of Ms. Carolyn Bartholomew of the District of Columbia to the United States-China Review Commission. Page 66

Election Assistance Commission Board of Advisors: Read a letter from the Minority Leader wherein she announced her appointment of Mr. Willie L. Brown, Jr., of San Francisco, California to the Election Assistance Commission Board of Advisors. Page 66

Recess: The House recessed at 2:56 p.m. and reconvened at 8:44 p.m. Page 82

State of the Union Address: President George W. Bush delivered his State of the Union address to a joint session of Congress, pursuant to the provisions of H. Con. Res. 349. He was escorted into the House Chamber by a committee comprised of Representatives DeLay, Blunt, Pryce (OH), Kingston, Pelosi, Hoyer, Menendez, Clyburn and Senators Frist, McConnell, Santorum, Hutchison, Kyl, Allen, Specter, Murkowski, Daschle, Mikulski, Breaux, Dorgan, Boxer, Durbin, Reed, Nelson (FL), Stabenow, Clinton, and Corzine. The President's message was referred to the Committee on the Whole House on the State of the Union and ordered printed (H. Doc. 108–144). Page 82

Senate Messages: Messages received from the Senate today appear on page 64.

Senate Referral: S. 1172 was referred to the Committee on Energy and Commerce; S. 1267 was referred to the Committees on Government Reform, Rules, and Appropriations; S. 2000 was referred to the Committees on Government Reform, Energy and Commerce, and Armed Services; and S. 1177 was ordered held at the desk. Page 87

Quorum Calls—Votes: One quorum call (Roll No. 1) developed during the proceedings of the House today and appears on page 64.

Adjournment: The House met at 12 noon and adjourned at 10:13 p.m.

Committee Meetings

No committee meetings were held.

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Wednesday, January 21, 2004

Senate

Chamber Action

Routine Proceedings, pages 171–237

Measures Introduced: Six bills and four resolutions were introduced, as follows: S. 2010–2015, and S. Res. 285–288. Page 219

Measures Passed:

50th Anniversary of Rock 'n' Roll: Senate agreed to S. Res. 285, recognizing 2004 as the "50th Anniversary of Rock 'n' Roll". Page 171

Authorizing Legal Representation: Senate agreed to S. Res. 286, to authorize legal representation in United States of America v. Parviz Karim-Panahi. Page 234

Commending the Southern University and A&M College of Baton Rouge Jaguars: Senate agreed to S. Res. 287, commending the Southern University and A&M College of Baton Rouge Jaguars for being the Sheridan Broadcasting National Black College Champions, the American Sports Wire National Black College Champions, and the MBC/BCSP National Black College Champions. Page 234

Commending the Louisiana State University Tigers: Senate agreed to S. Res. 288, commending the Louisiana State University Tigers football team for winning the 2003 Bowl Championship Series national championship game. Page 235

Recognizing and Congratulating the East Boynton Beach, Florida, Little League team: Committee on the Judiciary was discharged from further consideration of H. Con. Res. 273, recognizing and congratulating the East Boynton Beach, Florida, Little League team as the 2003 United States Little League Champions, and the resolution was then agreed to. Page 235

Agriculture Appropriations Act (Omnibus Appropriations)—Conference Report: Senate continued consideration of the conference report to accompany H.R. 2673, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004. **Page 176**

A unanimous-consent agreement was reached providing for further consideration of the conference report at 9:30 a.m., on Thursday, January 22, 2004 and that there then be 4½ hours equally divided between the Chairman and Ranking Member of the Appropriations Committee or their designees for debate only; that following the use or yielding back of that debate time, the motion to proceed and the motion to reconsider the failed cloture vote be agreed to; and the Senate vote on the motion to invoke cloture and that if cloture is invoked, the Senate then immediately proceed to a vote on the adoption of the conference report. **Page 215**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following protocol:

Additional Protocol Amending Investment Treaty with Bulgaria (Treaty Doc. No. 108–15).

The protocol was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page 236**

Appointments:

Veterans' Disability Benefits Commission: The Chair announced the following appointment made on January 6, 2004, during the sine die adjournment:

Pursuant to the provisions of Public Law 108–136, on behalf of the Democratic Leader, the appointment of the following individuals to serve as members of the Veterans' Disability Benefits Commission: Mike O'Callaghan of Nevada and Rick Surratt of Virginia. **Page 171**

Nominations Received: Senate received the following nominations:

Claudia Puig, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2008.

Gay Hart Gaines, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2004.

Stephen L. Johnson, of Maryland, to be Deputy Administrator of the Environmental Protection Agency.

Charles Johnson, of Utah, to be Chief Financial Officer, Environmental Protection Agency.

Bradley D. Belt, of the District of Columbia, to be a Member of the Social Security Advisory Board for a term expiring September 30, 2008.

Fayza Veronique Boulad Rodman, of the District of Columbia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2006.

Albert Casey, of Texas, to be a Governor of the United States Postal Service for a term expiring December 8, 2009.

Clark Kent Ervin, of Texas, to be Inspector General, Department of Homeland Security (New Position), to which position he was appointed during the last recess of the Senate.

Cynthia Boich, of California, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2007.

Dorothy A. Johnson, of Michigan, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2007 (Reappointment), to which position she was appointed during the last recess of the Senate.

Henry Lozano, of California, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2008.

Gerard Schwarz, of Washington, to be a Member of the National Council on the Arts for the remainder of the term expiring September 3, 2006.

Ronald E. Meisburg, of Virginia, to be a Member of the National Relations Board for the term of five years expiring August 27, 2008.

Robert Lerner, of Maryland, to be Commissioner of Education Statistics for a term expiring June 21, 2009.

Raymond Simon, of Arkansas, to be Assistant Secretary for Elementary and Secondary Education.

1 Air Force nomination in the rank of general.

2 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

2 Navy nominations in the rank of admiral.

A routine list in the Army. **Page 236**

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

Mark C. Brickell, of New York, to be Director of the Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development for a term of five years, which was sent to the Senate on June 12, 2003. **Page 237**

Measures Placed on Calendar: **Page 219**

Additional Cosponsors: **Page 220**

Statements on Introduced Bills/Resolutions: **Page 220**

Additional Statements: **Page 219**

Notices of Hearings/Meetings: **Page 234**

Authority for Committees to Meet: **Page 234**

Adjournment: Senate convened at 10 a.m., and adjourned at 5:37 p.m., until 9:30 a.m., on Thursday, January 22, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 236.)

Committee Meetings

NORTH KOREAN NUCLEAR DEVELOPMENTS

Committee on Foreign Relations: Committee concluded a hearing on North Korean Nuclear Developments, after receiving testimony from Siegfried Hecker, Los Alamos National Laboratory, Los Alamos, New Mexico.

House of Representatives

Chamber Action

Measures Introduced: 15 public bills, H.R. 3712–3726; 1 private bill, H.R. 3727; and 6 resolutions, H.J. Res. 86 and H. Res. 496–500, were introduced. **Page 168**

Additional Cosponsors: **Page 169**

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Simmons to act as Speaker pro tempore for today. **Page 118**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Honoring the contributions of Catholic schools: H. Res. 492, honoring the contributions of Catholic schools, by a ⅔ yea-and-nay vote of 398 yeas to 1 nay, Roll No. 2; **Pages 119, 137**

Sense of the House regarding the benefits of mentoring: H. Res. 491, honoring individuals who are mentors and supporting efforts to recruit more mentors, by a ⅔ yea-and-nay vote of 397 yeas with none voting "nay", Roll No. 3; **Pages 123, 138**

Recognizing the achievements related to the Mars Exploration Rover Mission: H. Res. 490, recognizing and commending the achievements of the National Aeronautics and Space Administration, the Jet Propulsion Laboratory, and Cornell University in conducting the Mars Exploration Rover mission, and recognizing the importance of space exploration, by a ⅔ yea-and-nay vote of 389 yeas with none voting "nay", Roll No. 4; and **Pages 127, 139**

Agreeing with the Senate on S. Res. 281: H. Res. 489, stating the agreement of the House of Representatives with the sentiment expressed by the Senate in Senate Resolution 281, by a ⅔ yea-and-nay vote of 394 yeas with none voting "nay", Roll No. 5. **Pages 132, 139**

Committee Election Vacated: Read a letter from Representative Gonzalez wherein he announced his resignation from the Committees on Financial Services and Small Business, and the Select Committee on Homeland Security, effective January 20, 2004. **Page 140**

Committee Election: Agreed to H. Res. 495, electing Representative Gonzalez to the Committee on Energy and Commerce. **Page 140**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 10 a.m. on Friday, January 23, 2004, and further that when it adjourn on that day, it adjourn to meet at 12:30 p.m. on Tuesday, January 27 for morning hour debate. **Page 141**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, January 28, 2004. **Page 141**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Thornberry to sign enrolled bills and joint resolutions through Tuesday, January 27, 2004. **Page 141**

Advisory Committee on Student Financial Assistance: Read a letter from the Speaker wherein he appointed Mr. Robert Shireman of Oakland, California to the Advisory Committee on Student Financial Assistance. **Page 168**

Message from the Clerk: Read a letter from the Clerk wherein he notified the House that he received a message from the Senate on Tuesday, January 20, 2004. **Page 137**

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of the House today and appear on pages 137–140. There were no recorded votes or quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 4:44 p.m.

Committee Meetings

USDA'S BSE RESPONSE

Committee on Agriculture: Held a hearing to review the USDA's Bovine Spongiform Encephalopathy (BSE) Response. Testimony was heard from Ann M. Veneman, Secretary of Agriculture.

RESERVE COMPONENT HEALTHCARE

Committee on Armed Services: Subcommittee on Total Force held a hearing on Reserve Component Healthcare: Medical Holdovers in Current and Future Deployments. Testimony was heard from the following officials of the Department of the Army: Sgt. Craig Allen LaChance, USA, Medical Holdover Company; and Col. John M. Kidd, USA, Garrison Commander, Third Infantry Division (Mechanized), both at Fort Stewart, Georgia; Col. Keith Armstrong, USA, Garrison Commander, Fort Knox, Kentucky; Lt. Gen. James B. Peake, USA, Surgeon General; Daniel Denning, Principle Deputy Assistant Secretary, Manpower and Reserve Affairs; and Lt. Gen. Joseph R. Inge, USA, Commanding General, First Army; the following officials of the Department of the Navy: Vice. Adm. Michael L. Cowan, USN, Surgeon General; and

Rear Adm. John M. Stewart, Jr., USN, Deputy Commander, Navy Personnel Command; and public witnesses.

REPORT—SPECIAL EXAMINATION OF FREDDIE MAC

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing on the OFHEO's report of the Special Examination of Freddie Mac. Testimony was heard from Armando Falcon, Director, Office of Federal Housing Enterprise Oversight, Department of Housing and Human Development; and Martin F. Baumann, Chief Financial Officer, Freddie Mac.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported, as amended, the following bills: H.R. 2844, Continuity in Representation Act of 2003; H.R. 1997, Unborn Victims of Violence Act of 2003; H.R. 3261, Database and Collections of Information Misappropriation Act; and H.R. 2391, Cooperative Research and Technology Enhancement (CREATE) Act of 2003.

CAN U.S. COMPANIES COMPETE GLOBALLY USING AMERICAN WORKERS?

Committee on Small Business: Held a hearing on Can U.S. Companies Compete Globally Using American Workers? Testimony was heard from public witnesses.

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Thursday, January 22, 2004

Senate

Chamber Action

Routine Proceedings, pages 262–341

Measures Introduced: Eight bills were introduced, as follows: S. 2016–2023. **Page 321**

Agriculture Appropriations Act (Omnibus Appropriations)—Conference Report: By 65 yeas to 28 nays (Vote No. 3) Senate agreed to the conference report to accompany H.R. 2673, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, clearing the measure for the President. **Page 263**

During consideration of this measure today, Senate also took the following actions:

Pursuant to the order of January 21, 2004, the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on January 20, 2004 was agreed to. **Page 291**

Pursuant to the order of January 21, 2004, the motion to reconsider the vote by which cloture was not invoked on January 20, 2004 was agreed to. **Page 291**

By 61 yeas to 32 nays (Vote No. 2), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the conference report. **Page 292**

Pension Funding Equity Act: Pursuant to the order of December 9, 2003, Committee on Finance was discharged from further consideration of H.R. 3108, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions, and the Senate then began consideration of the bill, taking action on the following amendments proposed thereto: **Page 292**

Pending:

Grassley Amendment No. 2233, of a perfecting nature. **Page 302**

Kyl Amendment No. 2234 (to Amendment No. 2233), to limit the liability of the Pension Benefit Guaranty Corporation with respect to a plan for which a reduced deficit contribution is elected. **Page 302**

Nominations Confirmed: Senate confirmed the following nominations:

Cynthia R. Church, of Virginia, to be an Assistant Secretary of Veterans Affairs (Public and Intergovernmental Affairs).

Robert N. McFarland, of Texas, to be an Assistant Secretary of Veterans Affairs (Information and Technology).

Gordon H. Mansfield, of Virginia, to be Deputy Secretary of Veterans Affairs. **Pages 335, 341**

Nominations Received: Senate received the following nominations:

David Safavian, of Michigan, to be Administrator for Federal Procurement Policy.

41 Air Force nominations in the rank of general.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, Navy. **Page 336**

Nominations Returned to the President: The following nomination was discharged from the Committee on Governmental Affairs and returned to the President:

James C. Miller III, of Virginia, to be a Governor of the United States Postal Service. **Pages 321, 335**

Messages From the House: **Page 317**

Executive Communications: **Page 317**

Additional Cosponsors: **Page 321**

Statements on Introduced Bills/Resolutions: **Page 322**

Additional Statements: **Page 314**

Amendments Submitted: **Page 331**

Authority for Committees to Meet: **Page 334**

Privilege of the Floor: **Page 334**

Record Votes: Two record votes were taken today. (Total—3) **Page 292**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:20 p.m., until 9:30 a.m., on Friday, January 23, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 336.)

Committee Meetings

NIH

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies concluded a hearing to examine avoiding conflicts of interest at the National Institutes of Health (NIH), focusing on the executive branch ethics program and the role of the Office of Government Ethics (OGE), OGE program reviews at NIH, and recusals and audits, policies and procedures for avoiding conflicts of interest, after receiving testimony from Elias A. Zerhouni, Director, Stephen I. Katz, Director, National Institute of Arthritis and Musculoskeletal and Skin Diseases, Edgar M. Swindell, Associate General Counsel, Ethics Division, Ruth Kirschstein, Senior Advisor to the Director, and John I. Gallin, Director, Warren G. Magnuson Clinical Center, all of the National Institutes of Health, Department of Health and Human Services; and Marilyn L. Glynn, Acting Director, Office of Government Ethics.

IRAQ AND AFGHANISTAN

Committee on Armed Services: Committee met in closed session to receive a briefing on ongoing military activities in Iraq and Afghanistan from Peter W. Rodman, Assistant Secretary of Defense for International Security Affairs; Rear Admiral Robert B. Murrett, USN, Director for Intelligence, J–2, and Lieutenant General Norton A. Schwartz, USAF, Director for Operations, J–3, both of U.S. Joint Forces Command; and Reuben Jeffery III, Coalition Provisional Authority.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Raymond W. Gruender, of Missouri, to be United States Circuit Judge for the Eighth Circuit, who was introduced by Senators Bond and Talent; Ricardo S. Martinez, to be United States District Judge for the Western District of Washington, who was introduced by Senator Murray; Gene E. K. Pratter, to be United States District Judge for the Eastern District of Pennsylvania, who was introduced by Senators Specter and Santorum; and Neil Vincent Wake, to be United States District Judge for the District of Arizona, who was introduced by Senator Kyl, after each nominee testified and answered questions in their own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 10 a.m. on Friday, January 23 in pro forma session.

Committee Meetings

No committee meetings were held.

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Friday, January 23, 2004

Senate

Chamber Action

Routine Proceedings, pages 352–73

Measures Introduced: Two resolutions were submitted, as follows: S. Res. 289–290. **Page 369**

Measures Passed:

Testimony, Document Production, and Legal Representation: Senate agreed to S. Res. 290, to authorize testimony, document production and legal representation in State of Idaho v. Joseph Daniel Hooper. **Page 372**

Pension Funding Equity Act—Agreement: A unanimous consent agreement was reached providing for further consideration of H.R. 3108, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions, at 1 p.m. on Monday, January 26, 2004. **Page 373**

Nominations Received: Senate received the following nominations:

John J. Young, Jr., of Virginia, to be Deputy Under Secretary of Defense for Acquisition and Technology.

Scott H. DeLisi, of Minnesota, to be Ambassador to the State of Eritrea.

Aubrey Hooks, of Virginia, to be Ambassador to the Republic of Cote d'Ivoire.

Joseph D. Stafford III, of Florida, to be Ambassador to the Republic of The Gambia. **Page 373**

Additional Cosponsors: **Page 369**

Statements on Introduced Bills/Resolutions: **Page 369**

Additional Statements: **Page 368**

Amendments Submitted: **Page 371**

Adjournment: Senate convened at 9:31 a.m., and adjourned at 11:43 a.m., until 1 p.m., on Monday, January

26, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 373.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 1 public bill, H.R. 3728; and 1 resolution, H. Res. 501, were introduced. **Page 351**

Additional Cosponsors: **Page 351**

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker pro tempore for today. **Page 342**

Chaplain: The prayer was offered today by Dr. Lloyd J. Ogilvie, 61st Chaplain, U.S. Senate, of Los Angeles, California. **Page 342**

Message from the Clerk: Read a letter from the Clerk wherein he notified the House that he received a message from the Senate on Thursday, January 22. **Page 342**

U.S.-China Economic and Security Review Commission: Read a letter from the Speaker wherein he announced his appointment of Ms. June Teufel Dreyer of Coral Gables, Florida to the United States—China Economic and Security Review Commission. **Page 342**

Quorum Calls—Votes: There were no votes or quorum calls today.

Adjournment: The House met at 10 a.m. and adjourned at 10:05 a.m.

Committee Meetings

No committee meetings were held.

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Monday, January 26, 2004

Senate

Chamber Action

Routine Proceedings, pages 378–415

Measures Introduced: Seven bills and one resolution were introduced, as follows: S. 2024–2030, and S. Res. 291. **Page 402**

Measures Passed:

Legal Representation: Senate agreed to S. Res. 291, to authorize testimony and legal representation in the case of *James McKoy* v. *North Fork Services/Joint Venture.* **Pages 403, 414**

Pension Funding Equity Act—Agreement: Senate resumed consideration of H.R. 3108, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions, taking action on the following amendments proposed thereto: **Page 381**

Pending:

Grassley Amendment No. 2233, of a perfecting nature. **Page 381**

Kyl Amendment No. 2234 (to Amendment No. 2233), to limit the liability of the Pension Benefit Guaranty Corporation with respect to a plan for which a reduced deficit contribution is elected. **Page 381**

Kyl Amendment No. 2236 (to Amendment No. 2233), to restrict an employer that elected an alternative deficit reduction contribution from applying for a funding waiver. **Page 390**

A unanimous-consent agreement was reached providing for further consideration of the bill at 12 noon on Tuesday, January 27, 2004; further, that at 2:30 p.m., Senate will vote on Kyl Amendment No. 2234 (to Amendment No. 2233), listed above. **Page 414**

Nominations Confirmed: Senate confirmed the following nominations:

James McBride, of New York, to be a Member of the National Council on the Arts for a term expiring September 3, 2008.

Raymond Simon, of Arkansas, to be Assistant Secretary for Elementary and Secondary Education, Department of Education.

Jose Antonio Aponte, of Colorado, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2007.

Sandra Frances Ashworth, of Idaho, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2004.

Edward Louis Bertorelli, of Massachusetts, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2005.

Carol L. Diehl, of Wisconsin, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2005.

Allison Druin, of Maryland, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2006.

Beth Fitzsimmons, of Michigan, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2006.

Patricia M. Hines, of South Carolina, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2005.

Colleen Ellen Huebner, of Washington, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2007.

Stephen M. Kennedy, of New Hampshire, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2007.

Bridget L. Lamont, of Illinois, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2008.

Mary H. Perdue, of Maryland, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2008.

Herman Lavon Totten, of Texas, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2008.

Drew R. McCoy, of Massachusetts, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term of six years.

Susan K. Sclafani, of the District of Columbia, to be Assistant Secretary for Vocational and Adult Education, Department of Education.

Laurie Susan Fulton, of Virginia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2007.

J. Robinson West, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2007.

Pages 414, 415

Nominations Received: Senate received the following nominations:

Louis S. Thompson, of Maryland, to be a Member of the Reform Board (Amtrak) for a term of five years.

Kirk Van Tine, of Virginia, to be Deputy Secretary of Transportation.

Peter Eide, of Maryland, to be General Counsel of the Federal Labor Relations Authority for a term of five years.

Susanne T. Marshall, of Virginia, to be Chairman of the Merit System Protection Board.

Neil McPhie, of Virginia, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2009.

James C. Miller III, of Virginia, to be a Governor of the United States Postal Service for the term expiring December 8, 2010.

David B. Rivkin, Jr., of Virginia, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2004.

Page 415

Executive Communications: **Page 401**

Additional Cosponsors: **Page 402**

Additional Statements: **Page 398**

Amendments Submitted: **Page 403**

Adjournment: Senate convened at 1 p.m., and adjourned at 5:52 p.m., until 12 noon, on Tuesday, January 27, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 415.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 12:30 p.m. on Tuesday, January 27 for morning-hour debate.

Committee Meetings

No committee meetings were held.

♦♦♦♦♦♦♦♦♦♦♦♦

Tuesday, January 27, 2004

Senate

Chamber Action

Routine Proceedings, pages 418–45

Measures Introduced: Three bills and one resolution were introduced, as follows: S. 2031–2033, and S. Res. 292. **Page 440**

Measures Reported:

S. 129, to provide for reform relating to Federal employment, with an amendment in the nature of a substitute. (S. Rept. No. 108–223) **Page 440**

Pension Funding Equity Act—Agreement: Senate resumed consideration of H.R. 3108, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions, taking action on the following amendments proposed thereto: **Page 419**

Adopted:

Grassley (for Nickles) Amendment No. 2264 (to Amendment No. 2233), to express the sense of the Senate with respect to the status of private pension plans. **Page 428**

Grassley Modified Amendment No. 2261 (to Amendment No. 2233), to extend transfers of excess pension assets to retiree health accounts. **Page 431**

Pending:

Grassley Amendment No. 2233, of a perfecting nature. Page 419

Kyl Amendment No. 2236 (to Amendment No. 2233), to restrict an employer that elected an alternative deficit reduction contribution from applying for a funding waiver. Page 419

Rejected:

Kyl Amendment No. 2234 (to Amendment No. 2233), to limit the liability of the Pension Benefit Guaranty Corporation with respect to a plan for which a reduced deficit contribution is elected. (By 67 yeas to 25 nays (Vote No. 4), Senate tabled the amendment). Page 419

A unanimous-consent agreement was reached providing for further consideration of the bill at 11 a.m., on Wednesday, January 28, 2004, that there be 30 minutes for debate, equally divided between the Chairman and the Ranking Member of the Committee on Finance, or their designees; that Senator Kyl control 10 additional minutes; that, upon conclusion of debate, the Senate vote in relation to amendment No. 2236; that, upon disposition of the amendment, the Senate vote on the question of agreeing to amendment No. 2233; that, upon disposition of said amendment, the bill, as amended, be read the third time and the Senate then vote on final passage of the bill. Pages 431, 445

Executive Communications: Page 438

Additional Cosponsors: Page 440

Statements on Introduced Bills/Resolutions: Page 441

Additional Statements: Page 435

Amendments Submitted: Page 442

Notices of Hearings/Meetings: Page 445

Authority for Committees to Meet: Page 445

Record Votes: One record vote was taken today. (Total—4) Page 425

Adjournment: Senate convened at 12 noon, and adjourned at 4:49 p.m., until 11 a.m., on Wednesday, January 28, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 445.)

Committee Meetings

FOOD SAFETY: BSE

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the current situation regarding the discovery of a case of Bovine Spongiform Encephalopathy (BSE) in a dairy cow in Washington State as it relates to food safety, livestock marketing and international trade, after receiving testimony from Senators Durbin and Allard; Ann M. Veneman, Secretary of Agriculture; Lester M. Crawford, Deputy Commissioner of Food and Drugs, Department of Health and Human Services; and Alfonso Torres, Cornell University College of Veterinary Medicine, Ithaca, New York.

ECONOMIC OUTLOOK

Committee on the Budget: Committee concluded a hearing to examine the budget and economic outlook for fiscal years 2005 to 2014, after receiving testimony from Douglas Holtz-Eakin, Director, Congressional Budget Office.

AFGHANISTAN

Committee on Foreign Relations: Committee concluded a hearing to assess the international effort to stabilize and rebuild Afghanistan, focusing on the International Security Assistance Force (ISAF), after receiving testimony from General James L. Jones, Supreme Allied Commander Europe (SACEUR), Supreme Headquarters, Allied Powers Europe, Mons, Belgium; and William B. Taylor, Jr., Coordinator for Afghanistan, Department of State.

MUTUAL FUNDS

Committee on Governmental Affairs: Subcommittee on Financial Management, the Budget, and International Security concluded an oversight hearing to examine the disclosure of mutual fund fees and the need for additional disclosures of mutual fund practices, including how the fees and other costs that investors pay as part of owning fund shares can affect their investment returns, after receiving testimony from Richard J. Hillman, Director, Financial Markets and Community Investment, General Accounting Office; New York Attorney General Eliot L. Spitzer, Albany; Peter T. Scannell, Weymouth Landing, Massachusetts; James Nesfield, Nesfield Capital, Engelhard, North Carolina; John C. Bogle, Bogle Financial Markets Research Center/Vanguard Group, Valley Forge, Pennsylvania; Jeffrey C. Keil, Lipper Inc., Travis Plunkett, Consumer Federation of America, Paul S. Stevens, Dechert LLP, on behalf of the Investment Company Institute, and Marc E. Lackritz, Securities Industry Association, all of Washington, D.C.; and John P. Freeman, University of South Carolina School of Law, Columbia.

U.S. GOVERNMENT CONTINUITY

Committee on the Judiciary: Committee concluded a hearing to examine a proposed constitutional amendment to guarantee a functioning Congress, with respect to ensuring the continuity of the United States government, after receiving testimony from former Senator Alan Simpson, on behalf of the Continuity of Government Commission; Sanford V. Levinson, University of Texas Law School, Austin; and Howard M. Wasserman, Florida International University College of Law, Miami.

SEAPORT SECURITY

Committee on the Judiciary: Subcommittee on Terrorism, Technology, and Homeland Security concluded a hearing to examine seaport security since September 11, 2001, fo-

cusing on the National Targeting Center, the Automated Targeting System, the Container Security Initiative, and non-intrusive inspection and radiation detection technologies, after receiving testimony from Rear Admiral Larry L. Hereth, Director of Port Security, U.S. Coast Guard, and Robert M. Jacksta, Executive Director, Border Security and Facilitation, Office of Field Operations, Customs and Border Protection, both of the Department of Homeland Security; and Gary M. Bald, Acting Assistant Director, Counter-Terrorism Division, Federal Bureau of Investigation, Department of Justice.

RETIREMENT PLANNING

Special Committee on Aging: Committee concluded a hearing to examine retirement planning, including retirement reform proposals, after receiving testimony from Jack L. VanDerhei, Temple University, Philadelphia, Pennsylvania, on behalf of the Employee Benefit Research Institute; and Jagadeesh Gokhale, CATO Institute, Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 6 public bills, H.R. 3729–3734; 1 private bill, H.R. 3735; and 1 resolution, H. Con. Res 350, were introduced. **Page 473**

Additional Cosponsors: **Page 473**

Reports Filed: Reports were filed today as follows:

H. Res. 502, providing for consideration of S. 610, to amend the provisions of title 5, United States Code, to provide for workforce flexibilities and certain Federal personnel provisions relating to the National Aeronautics and Space Administration (H. Rept. 108–406); and

H. Res. 503, providing for consideration of S. 1920, to extend for 6 months the period for which chapter 12 of title 11 of the United States Code is reenacted (H. Rept. 108–407). **Page 473**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bonner to act as Speaker pro tempore for today. **Page 446**

Recess: The House recessed at 12:44 p.m. and reconvened at 2 p.m. **Page 448**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Extending the authorization for a postage stamp to benefit breast cancer research: H.R. 1385, to extend the provision of title 39, United States Code, under which the United States Postal Service is authorized to issue a special postage stamp to benefit breast cancer research, by a ⅔ yea-and-nay vote of 331 yeas to 1 nay, Roll No. 6; **Pages 449, 457**

Medical Devices Technical Corrections Act of 2003: H.R. 3493, to amend the Federal Food, Drug, and Cosmetic Act to make technical corrections relating to the amendments made by the Medical Device User Fee and Modernization Act of 2002, by a ⅔ yea-and-nay vote of 333 yeas with none voting "nay", Roll No. 7; **Pages 454, 458**

Joint Meeting of Congress: Agreed that it be in order at any time on Wednesday, February 4, 2004, for the Speaker to declare a recess, subject to the call of the chair, for the purpose of receiving in Joint Meeting His Excellency Jose Maria Aznar, President of the Government of Spain. **Page 457**

Recess: The House recessed at 2:54 p.m. and reconvened at 6:31 p.m. **Page 457**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of the House today and appear on pages 457 and 458. There were no recorded votes or quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 8:40 p.m.

Committee Meetings

BUDGET AND ECONOMIC OUTLOOK

Committee on the Budget: Held a hearing on the Budget and Economic Outlook—Fiscal Years 2005–2014. Testimony was heard from Douglas Holtz-Eakin, Director, CBO.

NASA WORKFORCE FLEXIBILITY ACT

Committee on Rules: Granted, by voice vote, an open rule providing one hour of general debate on S. 610, NASA Workforce Flexibility Act of 2003, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Science and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform. The rule provides that the bill shall be considered for amendment under the five-minute rule and that it shall be considered as read. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Boehlert.

FAMILY FARMER BANKRUPTCY RELIEF EXTENSION

Committee on Rules: Granted, by voice vote, a modified closed rule providing one hour of general debate on the bill S. 1920, to extend for 6 months the period for which

chapter 12 of title 11 of the United States code is reenacted, and amendments made in order equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule provides that it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of H.R. 975 as passed by the House, and that it shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute. The rule makes in order only those amendments to that amendment in the nature of a substitute which are printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. The rule provides one motion to recommit with or without instructions. Section 2 of the resolution provides that if the Senate bill, as amended, is passed then it shall be in order to move that the House insist on its amendment to S. 1920 and request a conference thereof. Testimony was heard from Chairman Sensenbrenner and Representative Baldwin.

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Wednesday, January 28, 2004

Senate

Chamber Action

Routine Proceedings, pages 488–527

Measures Introduced: Six bills and three resolutions were introduced, as follows: S. 2034–2039, S. Res. 293–294, and S. Con. Res. 87. **Page 516**

Measures Passed:

Pension Funding Equity Act: By 86 yeas to 9 nays (Vote No. 5), Senate passed H.R. 3108, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions, after taking action on the following amendments proposed thereto: **Page 489**

Adopted:

Grassley Amendment No. 2233, of a perfecting nature. **Page 489**

Rejected:

Specter Amendment No. 2263 (to Amendment No. 2233), to provide for the restoration of certain plans terminating in 2003 (upon division, a majority of the Senators present and not having voted in the affirmative, Senate failed to agree to the amendment). **Page 490**

Kyl Amendment No. 2236 (to Amendment No. 2233), to restrict an employer that elected an alternative deficit reduction contribution from applying for a funding waiver. **Page 492**

Safe Transportation Equity Act: Senate began consideration of the motion to proceed to S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs. **Page 524**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Monday, February 2, 2004. **Page 524**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, the report of Presidential Determination 2003–39 relative to classified information concerning the Air Force's Operating Location Near Groom Lake, Nevada; to the Committee on Environment and Public Works. (PM–60) **Page 515**

Transmitting, pursuant to law, a statement of justification relative to the Australia Group chemical and biological weapons nonproliferation regime; to the Committee on Foreign Relations. (PM–61) **Page 515**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 95 yeas (Vote No. 6), Gary L. Sharpe, of New York, to be United States District Judge for the Northern District of New York. **Pages 499, 527**

22 Air Force nominations in the rank of general.

7 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Navy. **Page 527**

Nominations Received: Senate received the following nominations:

Linda Mysliwy Conlin, of New Jersey, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2007.

Eugene Hickok, of Pennsylvania, to be Deputy Secretary of Education.

Pamela M. Iovino, of the District of Columbia, to be an Assistant Secretary of Veterans Affairs (Congressional Affairs).

Alphonso R. Jackson, of Texas, to be Secretary of Housing and Urban Development.

1 Air Force nomination in the rank of general.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps. **Page 525**

Messages From the House: **Page 515**

Measures Referred: **Page 516**

Executive Reports of Committees: Page 516
Additional Cosponsors: Page 517
Statements on Introduced Bills/Resolutions: Page 517
Additional Statements: Page 514
Notices of Hearings/Meetings: Page 523
Authority for Committees to Meet: Page 523

Record Votes: Two record votes were taken today. (Total—6) Pages 494, 503

Adjournment: Senate convened at 11 a.m., and adjourned at 6:42 p.m., until 11 a.m., on Thursday, January 29, 2004 for a pro forma session. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 525.)

Committee Meetings

WMD

Committee on Armed Services: Committee concluded a hearing to examine efforts to determine the status of Iraqi weapons of mass destruction and related programs, after receiving testimony from David Kay, former Special Advisor to the Director of Central Intelligence on Strategy Regarding Iraqi Weapons of Mass Destruction Programs.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 4,763 nominations in the Army, Navy, and Air Force.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Francis J. Harvey, of California, to be Assistant Secretary of Defense for Networks and Information Integration, and Lawrence T. Di Rita, of Michigan, to be Assistant Secretary of Defense for Public Affairs; and William A. Chatfield, of Texas, to be Director of Selective Service, after each nominee testified and answered questions in their own behalf.

NASA

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the future space mission of the National Aeronautics and Space Administration (NASA), focusing on exploration activities in low Earth orbit, the space shuttle, the International Space Station, the Moon, Mars and other destinations, space transportation capabilities supporting exploration, and international and commercial participation, after receiving testimony from Sean O'Keefe, Administrator, National Aeronautics and Space Administration; Louis D. Friedman, Planetary Society, Pasadena, California; Neal Lane, Rice University Department of Physics and Astronomy, Houston, Texas; Howard E. McCurdy, American University Department of Public Administration School of Public Affairs, Washington, D.C.; and Richard Tumlinson, Space Frontier Foundation, Nyack, New York.

PAKISTAN AND INDIA

Committee on Foreign Relations: Committee met in closed session to receive a briefing regarding steps toward rapprochement in relation to Pakistan and India from members of the intelligence community.

PAKISTAN AND INDIA

Committee on Foreign Relations: Committee concluded a hearing to examine steps toward rapprochement, focusing on the aversion of nuclear war, the status of Kashmir, prospects for détente, and controls against arms proliferation, after receiving testimony from Frank Wisner, American International Group, New York, New York; Stephen P. Cohen, Brookings Institution, and Michael Krepon, Henry L. Stimson Center, both of Washington, D.C.

HEALTH CARE COSTS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine health issues relating to health care costs and the uninsured, focusing on inefficiencies in America's health care delivery systems, after receiving testimony from Douglas Holtz-Eakin, Director, Congressional Budget Office; Arnold Milstein, Pacific Business Group on Health, San Francisco, California; Karen Davis, The Commonwealth Fund, New York, New York; Christopher J. Conover, Duke University, Terry Sanford Institute of Public Policy, Durham, North Carolina; and Gail R. Wilensky, Project HOPE, Bethesda, Maryland.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported S. 1721, to amend the Indian Land Consolidation Act to improve provisions relating to probate of trust and restricted land, with an amendment in the nature of a substitute.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of Franklin S. Van Antwerpen, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, after the nominee, who was introduced by Senators Specter and Santorum, testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Measures Introduced: 14 public bills, H.R. 3736–3749; and 10 resolutions, H.J. Res. 87–88; H. Con. Res. 351–353, and H. Res. 504–508 were introduced. Page 646

Additional Cosponsors: Page 647

Reports Filed: Reports were filed today as follows:

H.R. 2844, to require States to hold special elections to fill vacancies in the House of Representatives not later than 21 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances, amended (H. Rept. 108–404, Pt. 2). Page 646

Speaker: Read a letter from the Speaker wherein he appointed Representative Terry to act as Speaker Pro Tempore for today. Page 528

NASA Workforce Flexibility Act of 2003: The House passed S. 610, to amend the provisions of title 5, United States Code, to provide for workforce flexibilities and certain Federal personnel provisions relating to the National Aeronautics and Space Administration by a voice vote—clearing the measure for the President. Page 531

Withdrawn:

Flake amendment that was offered but subsequently withdrawn that sought to require that budget requests for the Administration shall include a statement that demonstrates that the amount that was requested for the previous year was equal to or less than reductions in specific item budget requests made for that same year. Page 541

H. Res. 502, the rule providing for consideration of the bill, was agreed to by a voice vote. Page 530

Recess: The House recessed at 10:36 a.m. and reconvened at 10:55 a.m. Page 531

Recess: The House recessed at 11:49 a.m. and reconvened at 1 p.m. Page 543

Extending the period for which chapter 12 of title 11 of the U.S. Code is reenacted: The House passed S. 1920, to extend for 6 months the period for which chapter 12 of title 11 of the United States Code is reenacted by a yea- and-nay vote of 165 yeas to 99 nays and one "present", Roll No. 10. Page 548

Rejected the Schakowsky motion to recommit the bill to the Committee on the Judiciary with instructions by a recorded vote of 170 ayes to 198 noes and one "present", Roll No. 9. Page 618

Agreed to:

Sensenbrenner amendment (no. 2 printed in H. Rept 108–407), making technical changes to the text of H.R. 975 as passed by the House by a voice vote. Page 621

Rejected:

Baldwin amendment in the nature of a substitute (no. 1 printed in H. Rept. 108–407), that sought to make chapter 12 of title 11 of the U.S. Bankruptcy code, dealing with "family farmer" reorganization, permanent and expand eligibility requirements (rejected by a recorded vote of 158 ayes to 204 noes and one "present", Roll No. 8). Page 557

H. Res. 503, the rule providing for consideration of the bill was agreed to by a voice vote. Page 543

The House agreed to request a conference with the Senate on the bill as amended and rejected the Nadler motion to instruct conferees by a yea-and-nay vote of 146 yeas to 203 nays and one "present", Roll No. 11. Page 621

Appointed as conferees: From the Committee on the Judiciary, for consideration of the Senate bill and the House amendment, and modifications committed to conference: Representatives Sensenbrenner, Hyde, Smith (TX), Chabot, Cannon, Hart, Conyers, Boucher, Nadler, and Watt (NC). Page 625

From the Committee on Financial Services, for consideration of sections 901–906, 908–909, 911, and 1301–1309 of the House amendment, and modifications committed to conference: Representatives Oxley, Bachus, and Sanders. Page 625

Committee Resignation: Read a letter from Representative Sullivan wherein he resigned from the Committees on Government Reform, Transportation and Infrastructure, and Science. Page 625

Committee Resignation: Read a letter from Representative Blunt wherein he resigned from the Committee on Energy and Commerce. Page 625

Committee Resignation: Read a letter from Representative Bell wherein he resigned from the Committees on Science and Government Reform. Page 625

Committee Elections: The House agreed to H. Res. 505, electing Representatives Hall and Sullivan to the Committee on Energy and Commerce, Representative Blunt to the Committee on International Relations, and Mr. Hall to the Committee on Science. Page 625

Committee Election: The House agreed to H. Res. 504, electing Representative Bell to the Committee on Financial Services. Page 625

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, February 4. Page 626

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at noon on Friday, January 30, and further that when it adjourn on that day, it adjourn to meet at 12:30 p.m. on Tuesday, February 3 for morning hour debate. Page 626

Antitrust Modernization Commission: Read a letter from the Speaker wherein he announced his appointment of Mr. Donald G. Kempf, Jr. of New York, New York and Mr. John L. Warden of New York, New York to the Antitrust Modernization Commission. Page 627

Presidential Messages: Read a message from the President wherein he notified Congress of his issuance of Presidential Determination 2003–39 and exercised the authority to grant certain exemptions under the Resource Conservation and Recovery Act—referred to the Committee on Energy and Commerce. Page 626

Read a message from the President wherein he certified the effectiveness of the Australia Group—referred to the Committee on International Relations. Page 627

Quorum Calls—Votes: 4 yea-and-nay votes and two recorded votes developed during the proceedings of the House today and appear on pages 618, 620–21, and 624. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:03 p.m.

Committee Meetings

AGRICULTURE SECTOR—TEMPORARY GUEST WORKER PROPOSALS IMPACT

Committee on Agriculture: Held a hearing to review the Potential Impact of Recent Temporary Guest Worker Proposals on the Agriculture Sector. Testimony was heard from public witnesses.

OPERATION IRAQI FREEDOM FORCE ROTATION PLAN

Committee on Armed Services: Held a hearing on the Operation Iraqi Freedom Force Rotation Plan. Testimony was heard from the following officials of the Department of Defense: Gen. Peter J. Schoomaker, USA, Chief of Staff, Army; Gen. Michael W. Hagee, USMC, Commandant, Marine Corps; Lt. Gen. James E. Cartwright, USMC, Director, Force Structure, Resources and Assessment, and Lt. Gen. Norton A. Schwartz, USAF, Director, Operations, both with the Joint Chiefs of Staff.

FREDDIE MAC'S ACCOUNTING RESTATEMENT: ARE ACCOUNTING STANDARDS WORKING?

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled "Freddie Mac's Accounting Restatement: Are Accounting Standards Working?" Testimony was heard from Armando Falcon, Jr., Director, Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development; and Martin Bauman, Chief Financial Officer, Freddie Mac.

STROKE TREATMENT AND ONGOING PREVENTION ACT

Committee on Energy and Commerce: Subcommittee on Health approved for full Committee action, as amended, H.R. 3658, Stroke Treatment and Ongoing Prevention Act.

BROADCAST INDECENCY

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "'Can you say that on TV?': An Examination of the FCC's Enforcement with Respect to Broadcast Indecency." Testimony was heard from David H. Solomon, Chief, Enforcement Bureau, FCC; and public witnesses.

NATIONAL BANK RULES

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled "Congressional Review of OCC Preemption." Testimony was heard from Julie L. Williams, First Senior Deputy Comptroller and Chief Counsel, Office of the Comptroller of the Currency; Department of the Treasury; and public witnesses.

ARMY NATIONAL GUARD PAY

Committee on Government Reform: Held a hearing entitled "Avoiding 'Financial Friendly Fire': A Review of Efforts to Overcome Army National Guard Pay Problems." Testimony was heard from Gregory D. Kutz, Director, Financial Management and Assurance, GAO; the following officials of the Department of Defense: Ernest J. Gregory, Acting Assistant Secretary, Financial Management and Comptroller; and Lt. Gen. Roger C. Schultz, USA, Director, Army National Guard, both with the Department of the Army; and Patrick T. Shine, Director, Defense Finance and Accounting Service, Military and Civilian Pay Services; and Kenneth Chavez, Unit Commander, B Company, Special Forces, Colorado Army National Guard.

POSTAL REFORM

Committee on Government Reform: Special Panel on Postal Reform and Oversight held a hearing entitled "Answering the Administration's Call for Postal Reform—Part I." Testimony was heard from Brian C. Roseboro, Acting Under Secretary, Domestic Finance, Department of the Treasury; the following officials of the U.S. Postal Service: S. David Fineman, Chairman, Board of Governors; and John E. Potter, Postmaster General; George A. Omas, Chairman, Postal Rate Commission; and David M. Walker, Comptroller General, GAO.

OVERSIGHT—RELIEVING BURDEN ON SMALL BUSINESS

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs and the Subcommittee on Regulatory Reform and Oversight of the Committee on Small Business held a joint hearing entitled "What is the Administration's Record in Relieving Burden on Small Business?" Testimony was heard from John D. Graham, Administrator, Office of Information and Regulatory Affairs, OMB; Patrick Pizzella, Assistant Secretary, Administration and Management, Department of Labor; Jeffrey Rosen, General Counsel, Department of Transportation; Kimberly Terese Nelson, Assistant Administrator, Environmental Information, EPA; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following measures: H.R. 1073, To repeal section 801 of the Revenue Act of 1916; H.R. 1768, amended, Multidistrict Litigation Restoration Act of 2003; H. Res. 412, Honoring the men and women of the Drug Enforcement Ad-

ministration on the occasion of its 30th Anniversary; H.R. 3095, Community Recognition Act of 2003; H.R. 339, amended, Personal Responsibility in Food Consumption Act; H.R. 2824, amended, Internet Tobacco Sales Enforcement Act; and H. Res. 56, Supporting the goals of the Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance to increase public awareness of the events surrounding the restriction, exclusion, and internment of individuals and families during World War II.

SURFACE TRANSPORTATION RESEARCH AND DEVELOPMENT ACT

Committee on Science: Subcommittee on Environment, Technology, and Standards approved for full Committee action, as amended, H.R. 3551, Surface Transportation Research and Development Act of 2003.

DEPARTMENT OF VETERANS AFFAIRS—LONG-TERM CARE POLICIES

Committee on Veterans' Affairs: Held a hearing on the Department of Veterans Affairs long-term care policies. Testimony was heard from Cynthia A. Bascetta, Director, Healthcare—Veterans' Health and Benefits Issues, GAO; the following officials of the Department of Veterans Affairs: John D. Daigh, Jr., M.D., Assistant Inspector General, Health Care Inspections, Office of Inspector General; and Robert H. Rosell, M.D., Under Secretary, Health; and public witnesses.

OVERSIGHT—CHILD WELFARE PROGRAMS

Committee on Ways and Means: Subcommittee on Human Resources held a hearing to review Federal and State Oversight of Child Welfare Programs. Testimony was heard from Wade F. Horn, Assistant Secretary, Administration for Children and Families, Department of Health and Human Services; Cornelia Ashby, Director, Education, Workforce, and Income Security, GAO; Wayne Stevenson, Deputy Secretary, Department of Children, Youth, and Families, State of Pennsylvania; William Bell, Commissioner, Administration for Children and Families, New York City; and public witnesses.

BORDER SECURITY TECHNOLOGY

Select Committee on Homeland Security: Subcommittee on Infrastructure and Border Security held a hearing entitled "Integrity and Security at the Border: The US VISIT Program." Testimony was heard from Asa Hutchinson, Under Secretary, Border and Transportation Security Directorate, Department of Homeland Security; Maura Harty, Assistant Secretary, Bureau of Consular Affairs, Department of State; and public witnesses.

Thursday, January 29, 2004

Senate

Chamber Action

Routine Proceedings, page 667

Senate met at 11:00:02 a.m. in pro forma session, and adjourned at 11:00:10 a.m., until 1 p.m., on Monday, February 2, 2004.

Committee Meetings

TREATY

Committee on Foreign Relations: Committee concluded a hearing to examine The Protocol Additional to the Agreement Between the United States of America and the International Atomic Energy Agency for the Application of Safeguards in the United States of America, with annexes, signed at Vienna June 12, 1998 (Treaty Doc. 107–7), after receiving testimony from Linton F. Brooks, Administrator, National Nuclear Security Administration; Peter Lichtenbaum, Assistant Secretary of Commerce for Export Administration; Susan F. Burk, Acting Assistant Secretary of State for Non-proliferation; and Mark T. Esper, Deputy Assistant Secretary of Defense for Negotiations Policy.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 12 noon on Friday, January 30 in pro forma session.

Committee Meetings

No committee meetings were held.

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Friday, January 30, 2004

Senate

Chamber Action

The Senate was not in session today; it will next meet at 1 p.m., on Monday, February 2, 2004.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 2 public bills, H.R. 3750–3751; and 1 resolution, H. Con. Res. 509, were introduced. Page 671

Additional Cosponsors: Page 671

Reports Filed: Reports were filed today as follows:

H.R. 1417, to amend title 17, United States Code, to replace copyright arbitration royalty panels with a Copyright Royalty Judge, amended (Rept. 108–408). Page 671

Speaker: Read a letter from the Speaker wherein he appointed Representative Bartlett to act as Speaker pro tempore for today. Page 668

Chaplain: The prayer was offered today by Rev. Dr. Ronald F. Christian, Pastor, Evangelical Lutheran Church in America in Fairfax, Virginia. Page 668

Quorum Calls—Votes: There were no votes or quorum calls today.

Adjournment: The House met at noon and adjourned at 12:08 p.m.

Committee Meetings

No committee meetings were held.

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Monday, February 2, 2004

Senate

Chamber Action

Routine Proceedings, pages 678–727

Measures Introduced: Eight bills and one resolution were introduced, as follows: S. 2040–2047, and S. Res. 295. Page 714

Measures Passed:

Congratulating New England Patriots: Senate agreed to S. Res. 295, congratulating the New England Patriots on their victory in Super Bowl XXXVIII. Page 721

National School Counseling Week: Committee on the Judiciary was discharged from further consideration of S. Res. 292, designating the week beginning February 2, 2004, as "National School Counseling Week", and the resolution was then agreed to. Page 722

National Mentoring Month: Committee on the Judiciary was discharged from further consideration of S. Res. 294, designating January 2004 as "National Mentoring Month", and the resolution was then agreed to. Page 722

Mammography Quality Standards Reauthorization Act: Senate passed S. 1879, to amend the Public Health Service Act to revise and extend provisions relating to mammography quality standards. Page 723

Safe Transportation Equity Act: Senate resumed consideration of the motion to proceed to consideration of S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs. Page 686

During consideration of this measure today, Senate also took the following action:

By 75 yeas to 11 nays (Vote No. 7), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to the bill. Page 703

A unanimous-consent agreement was reached providing for consideration of the bill at 10:30 a.m., on Tuesday, February 3, 2004. Page 704

Messages from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, The Budget of the United States Government for fiscal year 2005; referred jointly to the Committees on Appropriations and on the Budget. (PM–62) Page 713

Appointments:

Commission on Review of Overseas Military Facility Structure of the United States: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108–132, Section 128, appointed the following individual to the Commission on Review of Overseas Military Facility Structure of the United States: Major General Lewis E. Curtis III, USAF (Retired). Page 724

Nominations Received: Senate received the following nominations:

William Hardiman, of Michigan, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2006.

Sue Ellen Wooldridge, of Virginia, to be Solicitor of the Department of the Interior.

William T. Hiller, of Ohio, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2006. (Reappointment)

Juan R. Olivarez, of Michigan, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2006. (Reappointment)

Maria Otero, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2007. (Reappointment)

Richard Kenneth Wagner, of Florida, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2006.

Isaac Fulwood, Jr., of the District of Columbia, to be a Commissioner of the United States Parole Commission for a term of six years.

Raymond L. Finch, of Virgin Islands, to be Judge for the District Court of the Virgin Islands for a term of ten years. (Reappointment)

Routine lists in the Air Force, Army, Marine Corps.

Page 724

Executive Communications: Page 714

Additional Cosponsors: Page 715

Statements on Introduced Bills/Resolutions: Page 716

Additional Statements: Page 710

Notices of Hearings/Meetings: Page 721

Authority for Committees to Meet: Page 721

Privilege of the Floor: Page 721

Record Votes: One record vote was taken today. (Total—7) Page 704

Adjournment: Senate convened at 1 p.m., and adjourned at 6:57 p.m., until 9:45 a.m., on Tuesday, February 3, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 724.)

Committee Meetings

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following bills:

S. 882, to amend the Internal Revenue Code of 1986 to provide improvements in tax administration and taxpayer safe-guards, with an amendment in the nature of a substitute;

An original bill entitled "National Employee Savings and Trust Equity Guarantee Act"; and

An original bill entitled "Highway Reauthorization and Excise Tax Simplification Act of 2004".

House of Representatives

Chamber Action

The House was not in session today. It will meet at 12:30 p.m. on Tuesday, February 3 for morning hour debate and at 2 p.m. for legislative business.

Committee Meetings

No committee meetings were held.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED EIGHTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 20 through January 31, 2004

	Senate	*House*	*Total*
Days in session	8	6	..
Time in session	39 hrs.	21 hrs., 33′	..
Congressional Record:			
Pages of proceedings	333	245	..
Extensions of Remarks	..	78	..
Public bills enacted into law	..	1	1
Private bills enacted into law	..	..	..
Bills in conference	..	7	..
Measures passed, total	10	17	27
Senate bills	..	2	..
House bills	1	2	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	..	..	..
House concurrent resolutions	2	1	..
Simple resolutions	7	12	..
Measures reported, total	*3	*3	6
Senate bills	3	..	..
House bills	..	1	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	..	..	..
House concurrent resolutions	..	..	..
Simple resolutions	..	2	..
Special reports	..	..	..
Conference reports	..	..	..
Measures pending on calendar	157	81	..
Measures introduced, total	46	85	131
Bills	34	51	..
Joint resolutions	..	5	..
Concurrent resolutions	1	5	..
Simple resolutions	11	24	..
Quorum calls	..	1	..
Yea-and-nay votes	6	8	..
Recorded votes	..	2	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 3 reports have been filed in the Senate, a total of 3 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 20 through January 31, 2004

Civilian nominations, totaling 230, (including 195 nominations carried over from the First Session), disposed of as follows:	
Confirmed	22
Unconfirmed	206
Withdrawn	1
Returned to White House	1
Other Civilian nominations, totaling 7, (including 5 nominations carried over from the First Session) disposed of as follows:	
Unconfirmed	7
Air Force nominations, totaling 3,930 (including 3,527 nominations carried over from the First Session), disposed of as follows:	
Confirmed	2,250
Unconfirmed	1,680
Army nominations, totaling 1,189, (including 594 nominations carried over from the First Session), disposed of as follows:	
Confirmed	86
Unconfirmed	1,103
Navy nominations, totaling 2,504, (including 2,444 nominations carried over from the First Session), disposed of as follows:	
Confirmed	2,427
Unconfirmed	77
Marine Corps nominations, totaling 1,094, (including 2 nominations carried over from the First Session), disposed of as follows:	
Unconfirmed	1,094

Summary

Total nominations carried over from the First Session	6,812
Total nominations received this Session	2,142
Total confirmed	4,785
Total unconfirmed	4,167
Total withdrawn	1
Total Returned to the White House	1

Tuesday, February 3, 2004

Senate

Chamber Action

Routine Proceedings, pages 730–900

Measures Introduced: Three bills and one resolution were introduced, as follows: S. 2048–2050, and S. Res. 296. Page 894

Measures Passed:

Senate Adjournments and Recesses: Senate agreed to S. Res. 296, relating to Senate adjournments and recesses. Page 731

SAFE Transportation Equity Act: Senate agreed to the motion to proceed to consideration of S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and then began consideration of the bill. Page 740

During consideration of this measure today, Senate also took the following action:

Committee amendment in the nature of a substitute was modified. Page 858

A unanimous-consent agreement was reached providing for consideration of the bill at 1 p.m., on Wednesday, February 4, 2004. Page 899

Escort Committee—Agreement: A unanimous-consent agreement was reached providing that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency, Jose Maria Aznar, President of the Government of Spain, into the House Chamber for the joint meeting on Wednesday, February 4, 2004. Page 898

Nominations Received: Senate received the following nominations:

Jerald S. Paul, of Florida, to be Principal Deputy Administrator, National Nuclear Security Administration. (New Position)

Craig A. Kelly, of California, to be Ambassador to the Republic of Chile.

Matthew G. Whitaker, of Iowa, to be United States Attorney for the Southern District of Iowa for the term of four years. Page 900

Messages From the House: Page 891

Executive Communications: Page 891

Statements on Introduced Bills/Resolutions: Page 894

Additional Statements: Page 891

Authority for Committees to Meet: Page 898

Adjournment: Senate convened at 9:45 a.m., and adjourned at 6:18 p.m., until 1 p.m., on Wednesday, February 4, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 899.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 3752–3762; and 6 resolutions, H. Con. Res. 355–356, and H. Res. 510–512, 514, were introduced. Page 954

Additional Cosponsors: Page 955

Reports Filed: Reports were filed today as follows:

H. Res. 412, honoring the men and women of the Drug Enforcement Administration on the occasion of its 30th Anniversary (H. Rept. 108–409);

H. Res. 56, supporting the goals of the Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance to increase public awareness of the events surrounding the restriction, exclusion, and internment of individuals and families during World War II (H. Rept. 108–410);

H.R. 3095, to amend title 4, United States Code, to make sure the rules of etiquette for flying the flag of the United States do not preclude the flying of flags at half mast when ordered by city and local officials, amended (H. Rept. 108–411);

H. Res. 513, providing for consideration of H.R. 3030, to amend the Community Services Block Grant Act to provide for quality improvements (H. Rept. 108–412);

H. Res. 499, requesting the President and directing the Secretary of State, the Secretary of Defense, and the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the President and those officials relating to the disclosure of the identity and employment of Ms. Valerie Plame, adversely (H. Rept. 108–413, Pt. 1); and

Everything Secret Degenerates: The FBI's Use of Murderers as Informants (H. Rept. 108–414). Page 954

Speaker: Read a letter from the Speaker wherein he appointed Representative Renzi to act as Speaker pro tempore for today. Page 901

Recess: The House recessed at 1:11 p.m. and reconvened at 2 p.m. Page 905

Suspensions: The House agreed to suspend the rules and passing the following measures:

Sense of the House on the anniversary of the Columbia ***Space Shuttle accident:*** H. Res. 507, expressing the profound sorrow of the House of Representatives on the anniversary of the accident that cost the crew of the Space Shuttle *Columbia* their lives, and extending heartfelt sympathy to their families, by a ⅔ yea-and-nay vote of 397 yeas with none voting "nay", Roll No. 12; **Pages 908, 926**

Sense of the House regarding individuals held as prisoners of conscience by the Chinese Government: H. Res. 157, expressing the sense of the House of Representatives regarding several individuals who are being held as prisoners of conscience by the Chinese Government for their involvement in efforts to end the Chinese occupation of Tibet, by a ⅔ yea-and-nay vote of 398 yeas with none voting "nay", Roll No. 13; **Pages 914, 927**

Congo Basin Forest Partnership Act of 2003: Agreed to the Senate amendments to H.R. 2264, to authorize appropriations for fiscal year 2004 to carry out the Congo Basin Forest Partnership program—clearing the measure for the President; **Page 918**

Recognizing the 93rd birthday of Ronald Reagan: H.J. Res. 84, recognizing the 93rd birthday of Ronald Reagan, by a ⅔ yea-and-nay vote of 394 yeas with none voting "nay" and 5 voting "present", Roll No. 14; **Pages 921, 928**

Honoring John Stockton: H. Res. 274, honoring John Stockton for an outstanding career, congratulating him on his retirement, and thanking him for his contributions to basketball, to the State of Utah, and to the Nation; and **Page 923**

Energy Efficient Housing Technical Correction Act: H.R. 3724, to amend section 220 of the National Housing Act to make a technical correction to restore allowable increases in the maximum mortgage limits for FHA-insured mortgages for multifamily housing projects to cover increased costs of installing a solar energy system or residential energy conservation measures. **Page 925**

NASA Workforce Flexibility Act Technical Corrections Act: The House agreed to H. Con. Res. 354, to correct technical errors in the enrollment of S. 610, to amend the provisions of title 5, United States Code, to provide for workforce flexibilities and certain Federal personnel provisions relating to the National Aeronautics and Space Administration. **Page 914**

Recess: The House recessed at 4:17 p.m. and reconvened at 6:33 p.m. **Page 926**

Consideration of House Resolutions: Agreed that it be in order at any time on Wednesday, February 4, 2004 for the Majority Leader or his designee to call up the following resolutions: H. Res. 493, H. Res. 496, H. Res. 497, H. Res. 498, H. Res. 511, H. Res. 512, and H. Con. Res. 355 and that each resolution be considered as read and the previous question be considered as ordered to final adoption without intervening motion except one hour of general debate and one motion to recommit. **Page 926**

Recess: The House recessed at 7:10 p.m. and reconvened at 8:13 p.m. **Page 929**

Message from the Clerk: Read a letter from the Clerk of the House notifying the House that he received a message from the President on Monday, February 2, containing the Budget of the United States Government for Fiscal Year 2005. **Page 907**

Presidential Message: The Speaker laid before the House a communication from the President wherein he transmitted to Congress the Budget of the United States Government for Fiscal Year 2005—referred to the Committee on Appropriations and ordered printed (H. Doc. 108–146). **Page 907**

Senate Message: Message received from the Senate today appears on page 901.

Senate Referrals: S. 1879 was referred to the Committee on Energy and Commerce. **Page 948**

Amendments: Amendments printed pursuant to the rule appear on page 956.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of the House today and appear on pages 926–28. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:07 p.m.

Committee Meetings

PRESIDENT'S BUDGET FISCAL YEAR 2005

Committee on the Budget: Held a hearing on the President's Budget for Fiscal Year 2005. Testimony was heard from Joshua B. Bolten, Director, OMB; N. Gregory Mankiw, Chairman, Council of Economic Advisers; and a public witness.

EFFECTIVE STRATEGIES AGAINST TERRORISM

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing on Effective Strategies Against Terrorism. Testimony was heard from Randall Yim, Managing Director, Homeland Security and Justice Team, GAO; Ilana Kass, Professor, Military Strategy and Operations, National War College, Department of Defense; and public witnesses.

LAW ENFORCEMENT EFFORTS WITHIN DEPARTMENT OF HOMELAND SECURITY

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing entitled "Law Enforcement Efforts within the Department of Homeland Security." Testimony was heard from the

following officials of the Department of Homeland Security: W. Ralph Basham, Director, U.S. Secret Service; Adm. Thomas H. Collins, USCG, Commandant, U.S. Coast Guard; and Michael Garcia, Assistant Secretary, Bureau of Immigration and Customs Enforcement.

IMPROVING THE COMMUNITY SERVICES BLOCK GRANT ACT

Committee on Rules: Granted, by voice vote, a modified open rule providing 1 hour of general debate on H.R. 3030, Improving the Community Services Block Grant Act of 2003. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as an original bill for the purpose of amendment, and shall be considered as read. The rule makes in order only those amendments to the committee amendment that are pre-printed in the Congressional Record or are pro forma amendments for the purpose of debate. The rule provides that each amendment printed in the Congressional Record may be offered only by the Member who caused it to be printed or a designee, and that each amendment shall be considered as read. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Boehner and Representatives Osborne and Woolsey.

PRESIDENT'S BUDGET PROPOSALS FISCAL YEAR 2005

Committee on Ways and Means: Held a hearing on the President's Budget Proposals for fiscal year 2005. Testimony was heard from John W. Snow, Secretary of the Treasury.

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Wednesday, February 4, 2004

Senate

Chamber Action

Routine Proceedings, pages 981–1031

Measures Passed:

Homeland Security Technology Improvement Act: Senate passed S. 1612, to establish a technology, equipment, and information transfer program within the Department of Homeland Security, after agreeing to the committee amendment in the nature of a substitute. **Page 1030**

SAFE Transportation Equity Act: Senate continued consideration of S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto: **Pages 981, 1004**

Pending:

Modified committee amendment in the nature of a substitute.

Dorgan Amendment No. 2267, to exempt certain agricultural producers from certain hazardous materials transportation requirements. **Page 1004**

Gregg Amendment No. 2268 (to Amendment No. 2267), to provide that certain public safety officials have the right to collective bargaining. **Page 1006**

Withdrawn:

Bond Amendment No. 2265, to make certain improvements to the bill. **Pages 986, 1004**

During consideration of this measure today, the following action also occurred:

Gregg Amendment No. 2266 (to Amendment No. 2265), to provide that certain public safety officials have the right to collective bargaining, fell when Bond Amendment No. 2265, (listed above) was withdrawn. **Pages 989, 1004**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Thursday, February 5, 2004. **Page 1031**

California Missions Preservation Act—Agreement: A unanimous-consent agreement was reached providing that H.R. 1446, to support the efforts of the California Missions Foundation to restore and repair the Spanish colonial and mission-era missions in the State of California and to preserve the artworks and artifacts of these missions, be referred to the Committee on Energy and Natural Resources. **Page 1029**

Appointments:

Task Force on Slave Laborers: The Chair, on behalf of the President Pro Tempore, pursuant to S. Con. Res. 130 (106th Congress), appointed the following individual to the Task Force on Slave Laborers: Virginia Walden-Ford, of Washington, D.C. **Page 1029**

Nominations Confirmed: Senate confirmed the following nomination:

By unanimous vote of 96 yeas (Vote No. Ex. 8), Mark R. Filip, of Illinois, to be United States District Judge for the Northern District of Illinois. **Pages 1000, 1031**

Messages From the House: **Page 1022**

Measures Referred: **Page 1022**

Executive Communications: **Page 1022**

Executive Reports of Committees: **Page 1024**

Additional Statements: **Page 1021**

Amendments Submitted: **Page 1024**

Authority for Committees to Meet: **Page 1029**

Privilege of the Floor: **Page 1029**

Record Votes: One record vote was taken today. (Total—8) **Page 1004**

Adjournment: Senate convened at 1 p.m. and adjourned at 7:09 p.m., until 9 a.m., on Thursday, February 5, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 1031.)

Committee Meetings

DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded a hearing to examine the Defense Authorization Request for fiscal year 2005 and future years defense program, after receiving testimony from Donald H. Rumsfeld, Secretary of Defense; and General Peter Pace, USMC, Vice Chairman, Joint Chiefs of Staff.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nominations of Lawrence T. Di Rita, of Michigan, to be an Assistant Secretary of Defense for Public Affairs, and Francis J. Harvey, of California, to be an Assistant Secretary of Defense for Networks and Information Integration, and 438 military nominations in the Army, Navy and Air Force.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported an original bill entitled Federal Public transportation Act of 2004.

HEALTH AND HUMAN SERVICES BUDGET

Committee on Finance: Committee concluded a hearing to examine the Administration's Health and Human Services budget priorities for fiscal year 2005, after receiving testimony from Tommy G. Thompson, Secretary of Health and Human Services.

UNITED STATES POSTAL SERVICE

Committee on Governmental Affairs: Committee concluded a hearing to examine workforce issues relating to preserving a strong United States Postal Service, after receiving testimony from Walter M. Olihovik, National Association of Postmasters of the United States, Steve D. LeNoir, National League of Postmasters, and Ted Keating, National Association of Postal Supervisors, all of Alexandria, Virginia; John Calhoun Wells, San Antonio, Texas, former Director of Federal Mediation and Conciliation Service; James L. Medoff, Harvard University, Cambridge, Massachusetts; and Michael L. Wachter, University of Pennsylvania Law School, Philadelphia.

House of Representatives

Chamber Action

Measures Introduced: 18 public bills, H.R. 3763–3780; and 8 resolutions, H. Con. Res. 357–359, and H. Res. 515–519 were introduced. **Page 1114**

Additional Cosponsors: **Page 1116**

Reports Filed: No reports were filed today.

Chaplain: Today's prayer was offered by Rev. Dr. Michael J. Easley, Senior Pastor, Immanuel Bible Church in Springfield, Virginia. **Page 1032**

Recess: The House recessed at 10:05 a.m. and reconvened at 10:52 a.m. **Page 1032**

Joint Meeting to Receive His Excellency Jose Maria Aznar, President of the Government of Spain: The House and Senate met in a Joint Meeting to receive His Excellency Jose Maria Aznar, President of the Government of Spain. He was escorted into the House Chamber by a committee comprised of Representatives DeLay, Blunt, Pryce (OH), Bereuter, Weller, Pelosi, Hoyer, Menendez, Lantos, and Rodriguez and Senators Frist, Stevens, Santorum, Kyl, Allen, Lugar, Smith, Daschle, and Dodd. **Page 1032**

Recess: The House recessed at 11:31 a.m. and reconvened at 12:06 p.m. **Page 1034**

Improving the Community Services Block Grant Act of 2003: The House passed H.R. 3030, to amend the Community Service Block Grant Act to provide for quality improvements by voice vote. **Page 1040**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce printed in the bill was considered as an original bill for the purpose of amendment. **Page 1046**

Agreed to:

George Miller of California amendment (No. 5 printed in the Congressional Record of February 3) that authorizes additional funds for a six month extension of unemployment benefits (agreed to by a recorded vote of 227 ayes to 179 noes, Roll No. 18). **Page 1069**

Rejected:

Woolsey amendment in the nature of a substitute (No. 4 printed in the Congressional Record of February 3) that sought to insert a provision that prohibits organizations from using Community Services Block Grant funds to discriminate in hiring on the basis of religion (rejected by a recorded vote of 183 ayes to 232 noes, Roll No. 17); **Pages 1048, 1069**

Scott of Virginia amendment (No. 2 printed in the Congressional Record of February 3) that sought to require that organizations offering religious services or activities, do so separately from programs that use Commu-

nity Services Block Grant funds (rejected by a recorded vote of 180 ayes to 233 noes, Roll No. 16); and

Pages 1066, 1068

Scott of Virginia amendment (No. 1 printed in the Congressional Record of February 3) that sought to prohibit the use of federal Community Services Block Grant funds to discriminate in hiring on the basis of religion (rejected by a recorded vote of 182 ayes to 231 noes, Roll No. 15). Page 1067

Agreed by unanimous consent to limit the time for debate on the George Miller of California amendment.

Page 1074

Agreed by unanimous consent to authorize the Clerk to make technical and conforming changes to the bill.

Page 1081

H. Res. 513, the rule providing for consideration of the bill was agreed to by a voice vote. Page 1035

Recognizing the University of Southern California's accomplishments in sports: The House agreed to H. Res. 511, recognizing the accomplishments of the University of Southern California's football, women's volleyball, and men's water polo teams. Page 1083

Congratulating the Grand Valley State University Lakers Football Team: The House agreed to H. Res. 498, congratulating the Grand Valley State University Lakers football team for winning the 2003 National Collegiate Athletic Association Division II Football National Championship. Page 1084

Congratulating the University of Delaware Men's Football Team: The House agreed to H. Con. Res. 355, congratulating the University of Delaware men's football team for winning the National Collegiate Athletic Association I–AA national championship. Page 1085

Commending the Wake Forest University Demon Deacons Field Hockey Team: The House agreed to H. Res. 497, commending the Wake Forest University Demon Deacons field hockey team for winning the 2003 National Collegiate Athletic Association Division I Field Hockey Championship. Page 1086

Congratulating the St. John's University, Collegeville, Minnesota, Football Team: The House agreed to H. Res. 493, congratulating the St. John's University, Collegeville, Minnesota, football team on winning the 2003 NCAA Division III Football National Championship. Page 1087

Congratulating the New England Patriots: The House agreed to H. Res. 512, congratulating the New England Patriots for winning Super Bowl XXXVIII. Page 1088

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12 noon on Friday, February 6, and further that when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, February 10 for morning hour debate. Page 1083

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, February 11.

Page 1083

Quorum Calls—Votes: Four recorded votes developed during the proceedings of the House today and appear on pages 1067–69 and 1080. There were no yea-and-nay votes or quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:31 p.m.

Committee Meetings

PUBLIC DIPLOMACY PROGRAMS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies held a hearing on the Recommendations of the Advisory Group on Public Diplomacy for the Arab and Muslim World. Testimony was heard from Ambassador Margaret Tutwiler, Under Secretary, Public Diplomacy and Public Affairs, Department of State; and the following officials of the Advisory Group on Public Diplomacy for the Arab and Muslim World: Ambassador Edward Djerejian, Chairman; and Ambassador David Abshire.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2005

Committee on Armed Services: Held a hearing on the Fiscal Year 2005 National Defense Authorization Budget Request from the Department of Defense. Testimony was heard from the following officials of the Department of Defense: Donald H. Rumsfeld, Secretary; Gen. Peter Pace, USMC, Vice Chairman, Joint Chiefs of Staff; and Dov Zakheim, Under Secretary (Comptroller).

TREASURY DEPARTMENT BUDGET PRIORITIES FISCAL YEAR 2005

Committee on the Budget: Held a hearing on the Department of the Treasury Budget Priorities Fiscal Year 2005. Testimony was heard from John W. Snow, Secretary of the Treasury; and a public witness.

COMMUNICATIONS MARKETPLACE—CURRENT STATE OF COMPETITION

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "The Current State of Competition in the Communications Marketplace." Testimony was heard from public witnesses.

CORPORATE GOVERNANCE—ROLE OF ATTORNEYS

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "The Role of Attorneys in Corporate Governance." Testimony was heard from public witnesses.

"SHOULD WE PART WAYS WITH GPRA?"

Committee on Government Reform: Subcommittee on Government Efficiency and Financial Management held an oversight hearing entitled "Should We Part Ways with GPRA?" Testimony was heard from Paul Posner, Director, Strategic Issues, GAO; and public witnesses

L VISAS: LOSING JOBS THROUGH LAISSEZ-FAIRE POLICIES? COMMITTEE BUSINESS

Committee on International Relations: Held a hearing on L Visas: Losing Jobs Through Laissez-Faire Policies? Testimony was heard from public witnesses.

The Committee also considered pending Committee business.

FRAUDULENT ONLINE IDENTITY SANCTIONS ACT

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held a hearing on H.R. 3754, Fraudulent Online Identity Sanctions Act. Testimony was heard from public witnesses.

IMPACT OF SCIENCE ON PUBLIC POLICY

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing entitled "The Impact of Science on Public Policy." Testimony was heard from Representative Walden of Oregon; and public witnesses.

OVERSIGHT—FOREST INDUSTRY—ISSUES AFFECTING JOBS

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on Issues Affecting Jobs in the Forest Industry. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Science: Ordered reported the following measures: H.R. 912, amended, Charles "Pete" Conrad Astronomy Awards Act; H.R. 1292, amended, Remote Sensing Applications Act of 2003; H.R. 3389, to amend the Stevenson-Wydler Technology Innovation Act of 1980 to permit Malcolm Baldridge National Quality Awards to be made to nonprofit organizations; H.R. 3551, amended, Surface Transportation Research and Development Act of 2004; H.R. 3752, Commercial Space Launch Amendments Act of 2004; and H. Con. Res. 189, amended, Celebrating the 50th anniversary of the International Geophysical Year (IGY) and supporting an International Geophysical Year-2 (IGY–2) in 2007–08.

ADMINISTRATION'S PROPOSED BUDGET—DEPARTMENT OF VETERANS AFFAIRS

Committee on Veterans' Affairs: Held a hearing on the Administration's proposed Fiscal Year 2005 budget for the Department of Veterans Affairs. Testimony was heard from Anthony J. Principi, Secretary of Veterans Affairs; and representatives of veterans organizations.

BRIEFING—GLOBAL INTELLIGENCE UPDATE

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy and National Security met in executive session to receive a briefing on Global Intelligence Update. The Subcommittee was briefed by departmental witnesses.

HOMELAND SECURITY ADVISORY SYSTEM

Select Committee on Homeland Security: Held a hearing entitled "The Homeland Security Advisory System: Improving Preparedness through Effective Warning." Testimony was heard from James M. Loy, Deputy Secretary, Department of Homeland Security; and John O. Brennan, Director, Terrorist Threat Integration Center.

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Thursday, February 5, 2004

Senate

Chamber Action

Routine Proceedings, pages 1134–1211

Measures Introduced: Two bills were introduced, as follows: S. 2051–2052. **Page 1186**

SAFE Transportation Equity Act: Senate continued consideration of S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto: **Page 1149**

Pending:

Modified committee amendment in the nature of a substitute.

Dorgan Amendment No. 2267, to exempt certain agricultural producers from certain hazardous materials transportation requirements. **Page 1149**

Gregg Amendment No. 2268 (to Amendment No. 2267), to provide that certain public safety officials have the right to collective bargaining. **Page 1149**

Withdrawn:

Shelby Amendment No. 2269 (to the language of the bill proposed to be stricken by the committee amendment), to amend chapter 53 of title 49, United States Code, relating to the authorization of Federal funding for public transportation. **Page 1151**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Friday, February 6, 2004 for the purposes of debate only. **Page 1209**

Nominations Received: Senate received the following nominations:

Mark Falcoff, of California, to be a Member of the National Security Education Board for a term of four years.

1 Air Force nomination in the rank of general.

2 Coast Guard nominations in the rank of admiral.

Routine lists in the Army, Coast Guard, Foreign Service, Marine Corps. **Page 1210**

Messages From the House: **Page 1185**

Measures Referred: **Page 1185**

Executive Communications: **Page 1185**

Additional Cosponsors: **Page 1186**

Statements on Introduced Bills/Resolutions: **Page 1187**

Additional Statements: **Page 1184**

Amendments Submitted: **Page 1188**

Authority for Committees to Meet: **Page 1209**

Privilege of the Floor: **Page 1209**

Adjournment: Senate convened at 9 a.m. and adjourned at 6:15 p.m., until 9:30 a.m., on Friday, February 6, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 1209.)

Committee Meetings

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit, who was introduced by Senators Craig and Crapo, William S. Duffey, Jr., to be United States District Judge for the Northern District of Georgia, who was introduced by Senators Miller and Chambliss, and Lawrence F. Stengel, to be United States District Judge for the Eastern District of Pennsylvania, who was introduced by Senators Specter and Santorum, after each nominee testified and answered questions in their own behalf.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 12 noon on Friday, February 6, in pro forma session.

Committee Meetings

No committee meetings were held.

Friday, February 6, 2004

Senate

Chamber Action

Routine Proceedings, pages 1214–32

Measures Introduced: Two bills were introduced, as follows: S. 2053–2054. **Page 1228**

SAFE Transportation Equity Act: Senate continued consideration of S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto: **Page 1219**

Pending:

Modified committee amendment in the nature of a substitute.

Dorgan Amendment No. 2267, to exempt certain agricultural producers from certain hazardous materials transportation requirements. **Page 1219**

Gregg Amendment No. 2268 (to Amendment No. 2267), to provide that certain public safety officials have the right to collective bargaining. **Page 1219**

A unanimous-consent agreement was reached providing for further consideration of the bill at 1 p.m., on Monday, February 9, 2004. **Page 1230**

Nominations Confirmed: Senate confirmed the following nominations:

42 Air Force nominations in the rank of general.

5 Army nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Navy. **Pages 1229, 1231**

Nominations Received: Senate received the following nominations:

Dionel M. Aviles, of Maryland, to be Under Secretary of the Navy.

Thomas Bolling Robertson, of Virginia, to be Ambassador to the Republic of Slovenia

Charles W. Pickering, Sr., of Mississippi, to be United States Circuit Judge for the Fifth Circuit. **Page 1231**

Additional Cosponsors: **Page 1229**

Amendments Submitted: **Page 1229**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 12:38 p.m., until 1 p.m., on Monday, February 9, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 1230.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 2 public bills, H.R. 3781–3782 were introduced. Page 1213

Additional Cosponsors: Page 1213

Reports Filed: Reports were filed today as follows:

H.R. 1073, to repeal section 801 of the Revenue Act of 1916 (H. Rept. 108–415). Page 1213

Speaker: Read a letter from the Speaker wherein he appointed Representative Thornberry to act as Speaker Pro Tempore for today. Page 1212

Chaplain: The prayer was offered today by Rev. Dr. Alan N. Keiran, Chief of Staff, Office of the U.S. Senate Chaplain. Page 1212

Senate Message: Message received from the Senate today appears on page 1212.

Senate Referrals: S. 1612 was held at the desk.

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 12 noon and adjourned at 12:03 p.m. Page 1212

Committee Meetings

No committee meetings were held.

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Monday, February 9, 2004

Senate

Chamber Action

Routine Proceedings, pages 1238–1304

Measures Introduced: Three bills and two resolutions were introduced, as follows: S. 2055–2057, S. Res. 297 and S. Con. Res. 88. Page 1267

Measures Passed:

Congratulating St. John's University, Collegeville, Minnesota, Football Team: Senate agreed to S. Res. 297, congratulating the Saint John's University, Collegeville, Minnesota, football team for winning the 2003 National Collegiate Athletic Association Division III Football Championship. Page 1303

SAFE Transportation Equity Act: Senate resumed consideration of S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto: Page 1240

Pending:

Modified committee amendment in the nature of a substitute.

Dorgan Amendment No. 2267, to exempt certain agricultural producers from certain hazardous materials transportation requirements. Page 1240

Gregg Amendment No. 2268 (to Amendment No. 2267), to provide that certain public safety officials have the right to collective bargaining. Page 1240

Dorgan Amendment No. 2276 (to the language proposed to be stricken by the committee amendment), to modify the penalty for nonenforcement of open container requirements. Page 1256

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Tuesday, February 10, 2004. Page 1303

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the Economic Report of the President; referred to the Joint Economic Committee. (PM–63) Page 1264

Nominations Received: Senate received the following nominations:

Enrique J. Sosa, of Florida, to be a Member of the Reform Board (Amtrak) for a term of five years.

29 Air Force nominations in the rank of general.

1 Coast Guard nomination in the rank of admiral.

11 Navy nominations in the rank of admiral.

Page 1303

Executive Communications: Page 1265

Additional Cosponsors: Page 1267

Statements on Introduced Bills/Resolutions: Page 1268

Additional Statements: Page 1262

Amendments Submitted: Page 1270

Authority for Committees to Meet: Page 1303

Adjournment: Senate convened at 1 p.m., and adjourned at 5:38 p.m., until 9:30 a.m., on Tuesday, February 10, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 1303.)

Committee Meetings

DEPARTMENT OF HOMELAND SECURITY BUDGET

Committee on Governmental Affairs: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2005 for the Department of Homeland Security, after receiving testimony from Tom Ridge, Secretary of Homeland Security.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 12:30 p.m. on Tuesday, February 10 for morning hour debate and at 2 p.m. for legislative business.

Committee Meetings

No committee meetings were held.

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Tuesday, February 10, 2004

Senate

Chamber Action

Routine Proceedings, pages 1307–1511

Measures Introduced: Six bills were introduced, as follows: S. 2058–2063. **Page 1341**

Measures Reported:

Report to accompany S. 1245, to provide for homeland security grant coordination and simplification. (S. Rept. No. 108–225) **Page 1341**

Measures Passed:

Enrollment Correction: Senate agreed to H. Con. Res. 354, to correct technical errors in the enrollment of the bill S. 610. **Page 1509**

SAFE Transportation Equity Act: Senate continued consideration of S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto: **Page 1307**

Pending:

Inhofe Amendment No. 2285, in the nature of a substitute. **Page 1318**

Warner Modified Amendment No. 2286 (to Amendment No. 2285), to provide a highway safety improvement program that includes incentives to States to enact primary safety belt laws. **Pages 1319, 1509**

Withdrawn:

Dorgan Amendment No. 2276 (to the language proposed to be stricken by the committee amendment), to modify the penalty for nonenforcement of open container requirements. **Page 1308**

Modified committee amendment in the nature of a substitute. **Page 1318**

During consideration of this measure today, the following actions also occurred:

Dorgan Amendment No. 2267, to exempt certain agricultural producers from certain hazardous materials transportation requirements, fell when the modified committee amendment (listed above) was withdrawn. **Page 1308**

Gregg Amendment No. 2268 (to Amendment No. 2267), to provide that certain public safety officials have the right to collective bargaining, fell when the modified committee amendment (listed above) was withdrawn. **Page 1308**

A motion was entered to close further debate on Inhofe Amendment No. 2285 (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, February 12, 2004. **Page 1318**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, February 12, 2004. **Page 1330**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Wednesday, February 11, 2004. **Page 1509**

Appointments:

Board of Visitors of the U.S. Military Academy: The Chair, on behalf of the President Pro Tempore, pursuant to 10 U.S.C. 4355(a)(2), appointed Senator Sessions, from the Armed Services Committee, to the Board of Visitors of the U.S. Military Academy. **Page 1509**

Veteran's Disability Benefits Commission: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108–136, Title XV, Section 1501(b)(1)(C), appointed the following individual to serve on the Veteran's Disability Benefits Commission: Vice Admiral Dennis Vincent McGinn. **Page 1509**

Parents Advisory Council on Youth Drug Abuse: The Chair, on behalf of the Majority Leader, pursuant to Public Law 105–277, Section 710, 2(A)(ii), appointed the following individual to serve as a member of the Parents Advisory Council on Youth Drug Abuse: David C. Guth of Tennessee, vice June Martin Milam, term expired. **Page 1509**

Measures Read First Time: **Pages 1337, 1509**

Petitions and Memorials: **Page 1337**

Additional Cosponsors: **Page 1341**

Statements on Introduced Bills/Resolutions: **Page 1342**

Additional Statements: **Page 1335**

Amendments Submitted: **Page 1359**

Notices of Hearings/Meetings: **Page 1508**

Authority for Committees to Meet: **Page 1508**

Privilege of the Floor: **Page 1508**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:24 p.m., until 9:30 a.m., on Wednesday, February 11, 2004. (For Senate's program, see the re-

marks of the Majority Leader in today's Record on page 1509.)

Committee Meetings

APPROPRIATIONS—HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Homeland Security concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of Homeland Security, after receiving testimony from Tom Ridge, Secretary of Homeland Security.

DEPARTMENT OF DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded a hearing to examine the proposed Department of Defense authorization request for fiscal year 2005 and the Future Years Defense Program, after receiving testimony from General Peter J. Schoomaker, USA, Chief of Staff, United States Army; Admiral Vernon E. Clark, USN, Chief of Naval Operations; General Michael W. Hagee, USMC, Commandant of the Marine Corps; and General John P. Jumper, USAF, Chief of Staff, United States Air Force.

GSEs

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine proposals for improving the regulatory regime of government sponsored enterprises (GSEs) and oversight, focusing on the application of federal securities law disclosure and reporting requirements to Fannie Mae, Freddie Mac and the federal home lone bands, after receiving testimony from David M. Walker, Comptroller General of the United States; Alan L. Beller, Director, Division of Corporation Finance, U.S. Securities and Exchange Commission, General Accounting Office; Richard S. Carnell, Fordham University School of Law, New York, New York; and James R. Rayburn, Jackson, Mississippi, on behalf of the National Association of Home Builders.

DEPARTMENT OF ENERGY BUDGET

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2005 for the Department of Energy, after receiving testimony from Kyle E. McSlarrow, Deputy Secretary of Energy.

NOMINATION

Committee on Finance: Committee concluded a hearing to examine the nomination of Samuel W. Bodman, to be Deputy Secretary of the Treasury, after the nominee testified and answered questions in his own behalf.

DEPARTMENT OF VETERANS AFFAIRS BUDGET

Committee on Veterans' Affairs: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2005 for the Department of Veterans Affairs, after receiving testimony from Anthony J. Principi, Secretary of Veterans Affairs, who was accompanied by several of his associates; Richard B. Jones, AMVETS, Lanham, Maryland; and Paul A. Hayden, Veterans of Foreign Wars of the United States, Rick Surratt, Disabled American Veterans, Richard B. Fuller, Paralyzed Veterans of America, and Peter S. Gaytan, American Legion, all of Washington, D.C.

ELDERCARE

Special Committee on Aging: Committee concluded a hearing to examine tax relief strategies for eldercare, focusing on Senior Elder Care Relief and Empowerment (SECURE) Act, after receiving testimony from Sandra Markwood, National Association of Area Agencies on Aging, Flora Green, The Senior's Coalition, and Richard Teske, all of Washington, D.C.; Gail Gibson Hunt, National Alliance for Caregiving, Bethesda, Maryland; and Trudy Elliott, Coer d' Alene, Idaho.

House of Representatives

Chamber Action

Measures Introduced: 14 public bills, H.R. 3783–3793; 1 private bill, H.R. 3794; and; 3 resolutions, H. Con. Res. 360, and H. Res. 521–522 were introduced.

Page 1549

Additional Cosponsors: **Page 1550**

Reports Filed: Reports were filed today as follows:

H.R. 1768, to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, amended (H. Rept. 108–416); and

H. Res. 520, providing for consideration of the Senate amendment to H.R. 743, to amend the Social Security Act and the Internal Revenue Code of 1986 to provide additional safeguards for Social Security and Supplemental Security Income beneficiaries with representative payees, to enhance program protections (H. Rept. 108–417).

Page 1549

Speaker: Read a letter from the Speaker wherein he appointed Representative Boozman to act as Speaker Pro Tempore for today. **Page 1512**

Recess: The House recessed at 1:01 p.m. and reconvened at 2 p.m. **Page 1515**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Printing of "History of the United States Capitol" as a House Document: H. Con. Res. 358, authorizing the printing of "History of the United States Capitol" as a House document, by a ⅔ yea-and-nay vote of 402 yeas to 1 nay, Roll No. 19; **Pages 1517, 1526**

Permitting the use of the rotunda of the Capitol for a ceremony remembering victims of the Holocaust: H. Con. Res. 359, permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust, by a ⅔ yea-and-nay vote of 402 yeas with none voting "nay", Roll No. 20; **Pages 1518, 1527**

Permitting the use of the rotunda of the Capitol for a ceremony to award the Congressional Gold Medal to Dr. Dorothy Height: H. Con. Res. 357, permitting the use of the rotunda of the Capitol for a ceremony to award a Congressional Gold Medal to Dr. Dorothy Height; and **Page 1521**

Requesting that the President issue a proclamation to commemorate the 200th anniversary of the birth of Constantino Brumidi: H. Con. Res. 264, authorizing and requesting the President to issue a proclamation to commemorate the 200th anniversary of the birth of Constantino Brumidi, by a ⅔ yea-and-nay vote of 404 yeas with none voting "nay", Roll No. 21. **Pages 1524, 1528**

Recess: The House recessed at 3:11 p.m. and reconvened at 6:30 p.m. **Page 1526**

Message from the Clerk: Read a letter from the Clerk notifying the House that he received a message from the President on Monday, February 9, containing the Economic Report of the President. **Page 1515**

Presidential Message: Read a communication from the President wherein he transmitted to Congress the Economic Report of the President—referred to the Joint Economic Committee and ordered printed (H. Doc. 108–145). **Page 1516**

Amendments: Amendments printed pursuant to the rule appear today on **Page 1551**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages 1527–29. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:41 p.m.

Committee Meetings

PUBLIC DIPLOMACY IN THE MIDDLE EAST

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing on "Public Diplomacy in the Middle East." Testimony was heard from Margaret Tutwiler, Under Secretary, Public Diplomacy and Public Affairs, Department of State; Kenneth Y. Tomlinson, Chairman, Broadcasting Board of Governors; Jess T. Ford, Director, International Affairs and Trade, GAO; Harold Pachios, Chairman, Advisory Commission on Public Diplomacy; Stephen P. Cohen, member, Advisory Group on Public Diplomacy for the Arab and Muslim World; and public witnesses.

STATUS OF INTERNATIONAL RELIGIOUS FREEDOM

Committee on International Relations: Subcommittee on International Terrorism, Nonproliferation and Human Rights held a hearing on the Status of International Religious Freedom: An Analysis of the State Department's 2003 Annual Report. Testimony was heard from Ambassador-at-Large for International Religious Freedom John V. Hanford III, Department of State; and public witnesses.

DEFENSE OF PRIVACY ACT; OVERSIGHT—PRIVACY IN THE HANDS OF THE GOVERNMENT

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law approved for full Committee action, as amended, H.R. 338, Defense of Privacy Act.

The Subcommittee also held an oversight hearing on Privacy in the Hands of the Government: The Privacy Officer for the Department of Homeland Security. Testimony was heard from Nuala O'Connor Kelly, Chief Privacy Officer, Department of Homeland Security; and public witnesses.

SOCIAL SECURITY PROTECTION ACT

Committee on Rules: Granted, by voice vote, a rule providing for consideration of a motion offered by the chairman of the Committee on Ways and Means, or his designee, to concur in the Senate amendment to the bill H.R. 743, Social Security Protection Act of 2003. The rule provides one hour of debate in the House on the motion equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides that the Senate amendment and the motion shall be considered as read. The rule waives all points of order against consideration of the motion to concur in the Senate amendment. Finally, the rule provides that the previous question shall be considered as ordered on the motion to final adoption without intervening motion. Testimony was heard from Representative Shaw.

PRESIDENT'S BUDGET PROPOSALS FISCAL YEAR 2005—DEPARTMENT OF HEALTH AND HUMAN SERVICES

Committee on Ways and Means: Held a hearing on the President's Fiscal Year 2005 Budget for the Department of Health and Human Services. Testimony was heard from Tommy G. Thompson, Secretary of Health and Human Services.

Joint Meetings

PRESIDENT'S ECONOMIC REPORT

Joint Economic Committee: Committee concluded a hearing to examine the economic report of the President, after receiving testimony from N. Gregory Mankiw, Chairman, and Harvey S. Rosen and Kristin J. Forbes, both members, all of the Council of Economic Advisors.

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Wednesday, February 11, 2004

Senate

Chamber Action

Routine Proceedings, pages 1667–1914

Measures Introduced: Four bills and four resolutions were introduced, as follows: S. 2064–2067, and S. Res. 298–301. **Page 1729**

SAFE Transportation Equity Act: Senate continued consideration of S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto: **Page 1674**

Pending:

Inhofe Amendment No. 2285, in the nature of a substitute. **Page 1674**

Clinton/Bingaman Amendment No. 2311 (to language proposed to be stricken by Amendment No. 2285), to express the sense of the Senate concerning the outsourcing of American jobs. **Pages 1678–1719**

Bond Amendment No. 2327 (to Amendment No. 2311), to limit liability with respect to the owners of rented or leased motor vehicles. **Page 1681**

Rejected:

Warner Modified Amendment No. 2286 (to Amendment No. 2285), to provide a highway safety improvement program that includes incentives to States to enact primary safety belt laws. (By 57 yeas to 41 nays (Vote No. 9), Senate tabled the amendment.) **Page 1679**

A unanimous-consent agreement was reached providing for further consideration of the bill at 8:30 a.m., on Thursday, February 12, 2004; further, second degree amendments may be filed by 9 a.m. Also, Senate will vote on the motion to close further debate on Inhofe Amendment No. 2285 (listed above) at 9 a.m. **Page 1911**

Appointments:

Board of Visitors of the U.S. Air Force Academy: The Chair, on behalf of the President Pro Tempore, pursuant to 10 U.S.C. 9355(a)(2), appointed Senator Pryor, from the Armed Services Committee, to the Board of Visitors of the U.S. Air Force Academy. **Page 1910**

Board of Visitors of the U.S. Naval Academy: The Chair, on behalf of the President Pro Tempore, pursuant to 10 U.S.C. 6968(a)(2), appointed Senator Sarbanes, from the Armed Services Committee, to the Board of Visitors of the U.S. Naval Academy. **Page 1910**

Nominations Received: Senate received the following nominations:

Dawn A. Tisdale, of Texas, to be a Commissioner of the Postal Rate Commission for a term expiring November 22, 2006.

Cathy M. MacFarlane, of Virginia, to be an Assistant Secretary of Housing and Urban Development.

Dennis C. Shea, of Virginia, to be an Assistant Secretary of Housing and Urban Development.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps. **Page 1911**

Measures Placed on the Calendar **Page 1726**

Messages From the House: **Page 1726**

Executive Communications: **Page 1726**

Additional Cosponsors: **Page 1729**

Statements on Introduced Bills/Resolutions: **Page 1730**

Additional Statements: **Page 1724**

Amendments Submitted: **Page 1733**

Authority for Committees To Meet: **Page 1909**

Privilege of the Floor: **Page 1910**

Record Votes: One record vote was taken today. (Total—9) **Page 1680**

Adjournment: Senate convened at 9:29 a.m., and adjourned at 7:10 p.m., until 8:30 a.m., on Thursday, February 12, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 1911.)

Committee Meetings

RECONSTRUCTION IN IRAQ

Committee on Banking, Housing, and Urban Affairs: Subcommittee on International Trade and Finance concluded a hearing to examine economic and financial reconstruction in Iraq, focusing on the development of Iraq's financial sector, after receiving testimony from John B. Taylor, Under Secretary of the Treasury for International Affairs; Earl Anthony Wayne, Assistant Secretary of State for Economic and Business Affairs; and Gordon West, Acting Assistant Administrator, Bureau for Asia and the Near East, United States Agency for International Development.

TELEVISION PROGRAMMING

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine efforts to protect children from violent and indecent programming, focusing on FCC's enforcement actions, the rise of public con-

cern, the television V-chip and program ratings legislation, and family-friendly television programming, after receiving testimony from Senator Graham (SC); Michael K. Powell, Chairman, and Kathleen Q. Abernathy, Michael J. Copps, Kevin J. Martin, Jonathan S. Adelstein, each a Commissioner, all of the Federal Communications Commission.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 213, to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project, with an amendment;

S. 524, to expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862, with an amendment;

S. 943, to authorize the Secretary of the Interior to enter into 1 or more contracts with the city of Cheyenne, Wyoming, for the storage of water in the Kendrick Project, Wyoming, with an amendment in the nature of a substitute;

S. 960, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in the State of Hawaii and to amend the Hawaii Water Resources Act of 2000 to modify the water resources study, with an amendment;

S. 1107, to enhance the Recreational Fee Demonstration Program for the National Park Service, with an amendment;

S. 1516, to further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the commissioner of Reclamation, to carry out an assessment and demonstration program to assess potential increases in water availability for Bureau of Reclamation projects and other uses through control of salt cedar and Russian olive, with an amendment in the nature of a substitute;

S. 1576, to revise the boundary of Harpers Ferry National Historical Park;

S. 1577, to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming;

S. 1848, to amend the Bend Pine Nursery Land Conveyance Act to direct the Secretary of Agriculture to sell the, Bend Pine Nursery Administration Site in the State of Oregon, with an amendment;

H.R. 408, to provide for expansion of Sleeping Bear Dunes National Lakeshore;

H.R. 417, to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California;

H.R. 708, to require the conveyance of certain National Forest System lands in Mendocino National Forest, California, to provide for the use of the proceeds from such conveyance for National Forest purposes;

H.R. 856, to authorize the Secretary of the Interior to revise a repayment contract with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, Texas;

H.R. 1598, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in projects within the San Diego Creek Watershed, California;

S. 1167, to resolve the boundary conflicts in Barry and Stone Counties in the State of Missouri, with an amendment in the nature of a substitute; and

An original bill with statutes related to National Parks.

INDIAN PROGRAMS BUDGET

Committee on Indian Affairs: Committee held a hearing to examine the President's proposed budget request for fiscal year 2005 for Indian Programs, receiving testimony from Tex G. Hall, National Congress of American Indians, H. Sally Smith, National Indian Health Board, Russell Sossamon, National American Indian Housing, Council, and Gary L. Edwards, National Native Law Enforcement Association, all of Washington, D.C.; Don Kashevaroff, Alaska Native Tribal Health Consortium, Anchorage, Alaska; and Cindy La Marr, National Indian Education Association, Alexandria, Virginia.

Hearings continue on Wednesday, February 25.

CABLE COMPETITION

Committee on the Judiciary: Subcommittee on Antitrust, Competition Policy and Consumer Rights concluded a hearing to examine cable industry competition, focusing on the state of competition in a multichannel video market, after receiving testimony from Michael Willner, Insight Communications, New York, New York; Rodger Johnson, Knology, Inc., West Point, Georgia, on behalf of the Broadband Service Providers Association; Coralie Wilson, National Association of Telecommunications Officers and Advisors, Alexandria, Virginia; and Robert Sachs, National Cable and Telecommunications Association, Scott Cleland, Precursor Group, and Mark N. Cooper, Consumer Federation of America, all of Washington, D.C.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Diane S. Sykes, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit, who was introduced by Senators Kohl and Feingold, and Representative Sensebrenner; James L. Robart, to be United States District Judge for the Western District of Washington, who was introduced by Senators Murray and Cantwell; and Juan R. Sanchez, to be United States District Judge for the Eastern District of Pennsyl-

vania, who was introduced by Senators Specter and Santorum.

House of Representatives

Chamber Action

Measures Introduced: 22 public bills, H.R. 3795–3816; and 8 resolutions, H. Con. Res. 362–363, and H. Res. 523–528 were introduced. **Page 1664**

Additional Cosponsors: **Page 1665**

Reports Filed: Reports were filed today as follows:

H.R. 912, to authorize the Administrator of the National Aeronautics and Space Administration to establish an awards program in honor of Charles "Pete" Conrad, astronaut and space scientist, for recognizing the discoveries made by amateur astronomers of asteroids with near-Earth orbit trajectories, amended (H. Rept. 108–418);

H.R. 3389, to amend the Stevenson-Wydler Technology Innovation Act of 1980 to permit Malcolm Baldrige National Quality Awards to be made to nonprofit organizations (H. Rept. 108–419);

H.R. 1997, to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, amend (H. Rept. 108–420, Pt. 1); and

H.R. 3261, to prohibit the misappropriation of certain databases, amended, referred sequentially to the House Committee on Energy and Commerce for a period ending not later than March 12, 2004 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(f), rule X (H. Rept. 108–421, Pt. 1). **Page 1663**

Speaker: Read a letter from the Speaker wherein he appointed Representative Simpson to act as Speaker Pro Tempore for today. **Page 1585**

Recess: The House recessed at 10:03 a.m. and reconvened at 1:02 p.m. **Page 1585**

Social Security Protection Act of 2003: The House agreed to the Senate amendment on H.R. 743, to amend the Social Security Act and the Internal Revenue Code of 1986 to provide additional safeguards for Social Security and Supplemental Security Income beneficiaries with representative payees, to enhance program protections, by a yea-and-nay vote of 402 yeas to 19 nays, Roll No. 23—clearing the measure for the President. **Pages 1591, 1626**

H. Res. 520, the rule providing for consideration of the motion to concur in the Senate amendment was agreed to by a voice vote, after agreeing to order the previous question by a yea-and-nay vote of 226 yeas to 197 nays, Roll No. 22. **Page 1585**

Late Report: The Committee on Science received permission to have until February 18, 2004 at 5 p.m. to file reports on H.R. 3551, Surface Transportation Research and Development Act of 2004; H.R. 3752, The Commercial Space Launch Amendments Act of 2004; H.R. 1292, Remote Sensing Applications Act of 2003; H. Con. Res. 189, Celebrating the 50th Anniversary of the International Geophysical Year (IGY) and Supporting an International Geophysical Year-2 (IGY–2) in 2007–08. **Page 1591**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Surface Transportation Extension Act of 2004: H.R. 3783, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, by a ⅔ yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 24; and **Pages 1614, 1627**

Native American Technical Corrections Act of 2003: S. 523, to make technical corrections to law relating to Native Americans—clearing the measure for the President. **Page 1622**

Congratulating the Louisiana State University Tigers and the Southern University Jaguars: The House agreed to H. Res. 496, commending the Louisiana State University Tigers football team for winning the 2003 Bowl Championship Series national championship game, and commending the Southern University Jaguars football team for winning the 2003 SBN Black College National Football Championship. **Page 1628**

The measure was considered under a unanimous consent agreement. **Page 1628**

President's Day District Work Period: The House agreed to H. Con. Res 361, providing for a conditional adjournment of the House and a conditional recess or adjournment of the Senate. **Page 1643**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 4 p.m. on Saturday, February 14, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 361, in which case the House shall stand adjourned pursuant to that concurrent resolution. **Page 1643**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, February 25, 2004. **Page 1643**

Speaker Pro Tempore During District Work Period: Read a letter from the Speaker wherein he appointed Representative Gilchrest to sign enrolled bills and joint resolutions through February 24. **Page 1643**

Senate Message: Message from the Senate appears today on page 1585.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages 1590 and 1626–28. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:50 p.m. pursuant to the provisions of H. Con. Res. 361, the House stands adjourned until 4 p.m. on Saturday, February 14, 2004, unless it sooner has received a message or messages from the Senate transmitting its concurrence in H. Con. Res. 361, in which case the House shall stand adjourned until 2 p.m. on Tuesday, February 24, 2004, pursuant to H. Con. Res. 361.

Committee Meetings

DOD AVIATION SAFETY INITIATIVES

Committee on Armed Services: Held a hearing on the Department of Defense aviation safety initiatives. Testimony was heard from the following officials of the Department of Defense: Maj. Gen. Kenneth W. Hess, OSD/USAF, Air Force Chief of Safety and Commander, U.S. Air Force Safety Center; Brig. Gen. Joseph A. Smith, USA, Director, Army Safety and Commanding General, U.S. Army Safety Center; Rear Adm. Richard E. Brooks, USN, Commander, U.S. Naval Safety Center; and Brig. Gen. Samuel T. Helland, USMC, Assistant Deputy Commandant, Aviation, U.S. Marine Corps; and Christopher Bolkcom, Specialist in National Defense, Congressional Research Service, Library of Congress.

DOD INFORMATION SYSTEMS ARCHITECTURE

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the Department of Defense Information Systems Architecture: Are We on the Right Path to Achieving Net-Centricity and Ensuring Interoperability? Testimony was heard from the following officials of the Department of Defense: John P. Stenbit, Assistant Secretary, Networks and Information Integration and DOD Chief Information Officer; Lt. Gen. Steven W. Boutelle, USA, Chief Information Officer/G6, Department of the Army; Maj. Gen. Marilynn Quagliotti, USA, Vice Director, Defense Information Systems Agency; Rear Adm. Thomas E. Zelibor, USN, Deputy for C4 Integration and Policy/DoN Deputy CIO (Navy) (OPNAV N6F); David Tillotson III, Director, C4I, Surveillance and Reconnaissance Architecture and Assessment, Office of the Deputy Chief of Staff, Warfighting Integration; and Brig. Gen. John R. Thomas, USMC, Director Command, Control, Communications and Computers (C4), DoN Deputy CIO for USMC.

DEPARTMENT OF EDUCATION BUDGET PRIORITIES FISCAL YEAR 2005

Committee on the Budget: Held a hearing on the Department of Education Budget Priorities Fiscal Year 2005. Testimony was heard from Representative George Miller of California; Roderick R. Paige, Secretary of Education; and a public witness.

PREVENTION UNDERAGE DRINKING

Committee on Education and the Workforce: Subcommittee on Education Reform held a hearing entitled "Prevention Underage Drinking: What Works." Testimony was heard from public witnesses.

BROADCASTING DECENCY ENFORCEMENT ACT

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing on H.R. 3717, Broadcast Decency Enforcement Act of 2004. Testimony was heard from the following officials of the FCC: Michael K. Powell, Chairman; Kathleen Q. Abernathy; Michael J. Copps, Kevin J. Martin, and Jonathan S. Adelstein, all Commissioners; Paul Tagliabue, Commissioner, National Football League; and Mel Karmazin, President and Chief Operating Officer, Viacom Inc.

MONETARY POLICY AND THE STATE OF THE ECONOMY

Committee on Financial Services: Held a hearing on Monetary Policy and the State of the Economy. Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System.

POSTAL REFORM

Committee on Government Reform: Special Panel on Postal Reform and Oversight concluded hearings entitled "Answering the Administration's Call for Postal Reform, Part III." Testimony was heard from public witnesses.

FEDERAL CIVIL SERVICE—RECRUITING AND RETAINING AMERICA'S BEST

Committee on Government Reform: Subcommittee on Civil Service and Agency Organization held a hearing entitled "Espirit de Corps: Recruiting and Retaining America's Best for the Federal Civil Service (H.R. 3737; H.R. 1601; S. 129)." Testimony was heard from Ronald P. Sanders, Associate Director, Strategic Human Resources Policy, OPM; and public witnesses.

PRESIDENT'S MANAGEMENT AGENDA

Committee on Government Reform: Subcommittee on Government Efficiency and Financial Management held an oversight hearing entitled "The President's Management Agenda—Are Agencies Getting to Green?" Testimony was heard from Clay Johnson, Deputy Director, Management, OMB; and Kyle McSlarrow, Deputy Secretary, Department of Energy.

PRESIDENT'S INTERNATIONAL AFFAIRS REQUEST FISCAL YEAR 2005

Committee on International Relations: Held a hearing on the President's International Affairs Budget Request for Fiscal Year 2005. Testimony was heard from Colin L. Powell, Secretary of State.

OVERVIEW FEDERAL R&D BUDGET FISCAL YEAR 2005

Committee on Science: Held a hearing on An Overview of the Federal R&D Budget for Fiscal Year 2005. Testimony was heard from John H. Marburger, Director, Office of Science and Technology Policy; Rita R. Colwell, Director, NSF; Charles E. McQueary, Under Secretary, Science and Technology, Department of Homeland Security; Phillip J. Bond, Under Secretary, Technology, Department of Commerce; and Raymond L. Orbach, Director, Office of Science, Department of Energy.

HOW DOES THE PRESIDENT'S FISCAL YEAR 2005 BUDGET REQUEST AFFECT SMALL BUSINESS?

Committee on Small Business: Held a hearing on How Does the President's Fiscal Year 2005 Budget Request Affect Small Business? Testimony was heard from Hector V. Barreto, Administrator, SBA; and public witnesses.

PRESIDENT'S FISCAL YEAR 2005 BUDGET TAX PROPOSALS

Committee on Ways and Means: Held a hearing on the President's Fiscal Year 2005 Budget Tax Proposals. Testimony was heard from Pamela F. Olson, Assistant Secretary, Tax Policy, Department of the Treasury.

PRESIDENT'S BUDGET FISCAL YEAR 2005

Committee on Ways and Means: Held a hearing on the President's Fiscal Year 2005 Budget. Testimony was heard from Joshua B. Bolten, Director, OMB.

IRAQI SURVEY GROUP DEVELOPMENT

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Iraqi Survey Group Development. Testimony was heard from departmental witnesses.

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Thursday, February 12, 2004

Senate

Chamber Action

Routine Proceedings, pages 1916–2145

Measures Introduced: Twenty-eight bills and five resolutions were introduced, as follows: S. 2068–2095, S.J. Res. 27, S. Res. 302–304, and S. Con. Res. 89. **Page 2010**

Measures Passed:

SAFE Transportation Equity Act: By 76 yeas to 21 nays (Vote No. 14), Senate passed S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, after taking action on the following amendments proposed thereto: **Page 1916**

Adopted:

Dorgan Amendment No. 2430 (to Amendment No. 2285), to modify the penalty for nonenforcement of open container requirements. **Pages 1947, 1954**

Reid (for Harkin) Amendment No. 2333 (to Amendment No. 2285), to encourage States to give priority to pedestrian and bicycle facility enhancement projects that include a coordinated physical activity or healthy lifestyles program. **Page 1959**

Talent/Wyden Amendment No. 2482 (to Amendment No. 2285), to amend the Internal Revenue Code of 1986 to allow tax-exempt private activity bonds to be issued for highway projects and rail-truck transfer facilities. **Page 1960**

DeWine Amendment No. 2396 (to Amendment No. 2285), to enhance motor vehicle safety. **Page 1962**

Reid (for Corzine) Amendment No. 2308 (to Amendment No. 2285), to permit funds to be used for programs to impound the vehicles of drunk or impaired drivers. **Page 1962**

Reid (for Corzine) Amendment No. 2312 (to Amendment No. 2285), to require additional programs and activities to address distracted, inattentive, and fatigued drivers. **Page 1962**

Bond (for Murkowski/Stevens) Modified Amendment No. 2498 (to Amendment No. 2285), to establish the Denali Access System in the State of Alaska. **Page 1963**

Bond (for Shelby) Modified Amendment No. 2532 (to Amendment No. 2285), to establish the Delta Region transportation development program. **Page 1963**

Inhofe Amendment No. 2616 (to Amendment No. 2285), to make certain improvements to the bill. **Page 1964**

Inhofe Amendment No. 2285, in the nature of a substitute. **Page 1964**

Rejected:

By 17 yeas to 78 nays (Vote No. 11), Hutchison Amendment No. 2388 (to Amendment No. 2285), to provide for the distribution of funds under the infrastructure performance and maintenance program. **Page 1927**

By 20 yeas to 78 nays (Vote No. 13), Kyl Amendment No. 2473 (to Amendment 2285), to provide for a substitute to title V. **Page 1941**

Withdrawn:

Inhofe Amendment No. 2591 (to Amendment No. 2388), to set the effective date of the section. **Page 1927**

Landrieu Amendment No. 2615 (to Amendment No. 2388), to establish a program to apportion funds to States for use in the acceleration and completion of coordinated planning, design, and construction of internationally significant highway projects. **Page 1951**

Bond Amendment No. 2502 (to Amendment No. 2285), to strike the highway stormwater discharge mitigation program. **Page 1956**

During consideration of this measure today, Senate also took the following action:

By 86 yeas to 11 nays (Vote No. 10), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on Inhofe Amendment No. 2285 (listed above). **Page 1919**

Chair sustained a point of order that Clinton/Bingaman Amendment No. 2311 (to language proposed to be stricken by Amendment No. 2285), to express the sense of the Senate concerning the outsourcing of American jobs, was not germane to the bill, and the amendment thus fell. **Page 1919**

Bond Amendment No. 2327 (to Amendment No. 2311), to limit liability with respect to the owners of rented or leased motor vehicles, fell when Clinton/Bingaman Amendment No. 2311 was ruled not germane. **Page 1919**

By 72 yeas to 24 nays (Vote No. 12), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Inhofe Amendment No. 2285, in the nature of a substitute. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974 fell. **Page 1941**

The motion to invoke cloture on the bill was vitiated. **Page 1919**

Congratulating Carroll College Fighting Saints Football Team: Senate agreed to S. Res. 303, commending the Carroll College Fighting Saints football team for winning the 2003 National Association of Inter-collegiate Athletics (NAIA) national football championship game. **Page 2131**

Service Block Grants Improvements Act: Senate passed S. 1786, to revise and extend the Community Services Block Grant Act, the Low-Income Home Energy Assistance Act of 1981, and the Assets for Independence Act, after agreeing to the committee amendment in the nature of a substitute. **Page 2131**

Adjournment Resolution: Senate agreed to H. Con. Res. 361, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page 2143**

Iran Elections: Senate agreed to S. Res. 304, expressing the sense of the Senate that the United States should not support the February 20, 2004, elections in Iran and that the United States should advocate democratic government in Iran that will restore freedom to the Iranian people and will abandon terrorism. **Page 2145**

Healthy Mothers and Healthy Babies Access to Care Act: Senate began consideration of the motion to proceed to consideration of S. 2061, to improve women's health access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the delivery of obstetrical and gynecological services. **Page 2130**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur at 5 p.m., on Tuesday, February 24, 2004. **Page 2130**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill on Tuesday, February 23, 2004. **Page 2130**

Pension Funding Equity Act—Conferees Appointed: Senate insisted on its amendment to H.R. 3108, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Grassley, Gregg, McConnell, Baucus, and Kennedy. **Page 2130**

Washington's Farewell Address—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the Resolution of the Senate of January 24, 1901, that on Monday, February 23, 2004, immediately following the prayer, the Pledge of Allegiance to the Flag, and the disposition of the Journal, the traditional reading of Washington's Farewell Address take place. **Page 2130**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader or the Assistant Majority Leader, be authorized to sign duly enrolled bills or joint resolutions. **Page 2143**

Authority for Committees: All committees were authorized to file executive and legislative reports during the adjournment of the Senate on Wednesday, February 18, 2004, from 10 a.m. until 12 noon. **Page 2143**

Appointments:

Washington's Farewell Address: The Chair, on behalf of the Vice President, pursuant to the order of the Senate of January 24, 1901, as modified by the order of February 12, 2004, appointed Senator Breaux to read Washington's Farewell Address on Monday, February 23, 2004. **Page 2130**

Policy Committee to the White House Conference on Aging: The Chair, on behalf of the Democratic Leader, after consultation with the member of the Committee on Health, Education, Labor, and Pensions, and the Committee on Aging, pursuant to Public Law 100–175, as amended by Public Laws 102–375, 103–171, and 106–501, appointed the following as members of the Policy

Committee to the White House Conference on Aging: Senators Harkin and Reid. Page 2130

Nominations Confirmed: Senate confirmed the following nomination:

Samuel W. Bodman, of Massachusetts, to be Deputy Secretary of the Treasury. Page 2130

Nominations Received: Senate received the following nominations:

Gregory B. Jaczko, of the District of Columbia, to be a Member of the Nuclear Regulatory Commission for a term expiring June 30, 2008.

Miles T. Bivins, of Texas, to be Ambassador to Sweden.

Marc McGowan Wall, of Virginia, to be Ambassador to the Republic of Chad.

Richard S. Williamson, of Illinois, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Human Rights Commission of the Economic and Social Council of the United Nations.

William Duane Benton, of Missouri, to be United States Circuit Judge for the Eighth Circuit.

Army nomination in the rank of general. Page 2145

Messages From the House: Page 2004

Measures Read First Time: Page 2004

Enrolled Bills Presented: Page 2004

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Executive Reports of Committees: Page 2010

Additional Cosponsors: Page 2011

Statements on Introduced Bills/Resolutions: Page 2012

Additional Statements: Page 2003

Amendments Submitted: Page 2037

Notice of Hearings/Meetings: Page 2129

Authority for Committees to Meet: Page 2129

Record Votes: Five record votes were taken today. (Total—14) Pages 1919, 1927, 1941, 1946, 1989

Adjournment: Senate convened at 8:30 a.m., and, pursuant to the provisions of H. Con. Res. 361, adjourned at 8:49 p.m., until 12 noon, on Monday, February 23, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 2144.)

Committee Meetings

MONETARY POLICY REPORT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the first monetary policy report to Congress for 2004, after receiving testimony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System.

DEPARTMENT OF HEALTH AND HUMAN SERVICES BUDGET

Committee on the Budget: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2005 for the Department of Health and Human Services, after receiving testimony from Tommy G. Thompson, Secretary of Health and Human Services.

DEPARTMENT OF THE INTERIOR BUDGET

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the President's proposed fiscal year 2005 budget for the Department of the Interior, after receiving testimony from Gale A. Norton, Secretary of the Interior.

PUBLIC LANDS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 1466, to facilitate the transfer of land in the State of Alaska, S. 1421, to authorize the subdivision and dedication of restricted land owned by Alaska Natives, S. 1649, to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, and S. 1910, to direct the Secretary of Agriculture to carry out an inventory and management program for forests derived from public domain land, after receiving testimony from Senator Stevens; Kathleen Clarke, Director, Bureau of Land Management, Department of the Interior; Peter M. Pino, Pueblo of Zia, Zia Pueblo, New Mexico; Martin Heinrich, Albuquerque, New Mexico; Marty Rutherford, Alaska Department of Natural Resources, and Jack Hession, Sierra Club, both of Anchorage, Alaska; James Mery, Doyon, Limited, Fairbanks, Alaska; Russell Heath, Southeast Alaska Conservation Council, and Edward K. Thomas, Central Council Tlingit and Haida Indian Tribes of Alaska, both of Juneau, Alaska.

DEPARTMENT OF THE TREASURY BUDGET

Committee on Finance: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2005 for the Department of the Treasury, after receiving testimony from John W. Snow, Secretary of the Treasury.

NOMINATION

Committee on Finance: Committee ordered favorably reported the nomination of Samuel W. Bodman, of Massachusetts, to be Deputy Secretary of the Treasury.

STATE DEPARTMENT BUDGET

Committee on Foreign Relations: Committee concluded a hearing to examine the President's proposed fiscal year 2005 International Affairs budget for the Department of State, focusing on foreign policy and programs in win-

ning the war on terrorism, global economic growth, and AIDS relief, after receiving testimony from Colin L. Powell, Secretary of State.

U.S.-VIETNAMESE RELATIONS

Committee on Foreign Relations: Subcommittee on East Asia and Pacific Affairs concluded a hearing to examine the future of U.S.-Vietnamese relations, focusing on trade and human rights issues, after receiving testimony from John V. Hanford III, Ambassador at Large, Office of International Religious Freedom, and Matthew Daley, Deputy Assistant Secretary of State for East Asian and Pacific Affairs, both of the Department of State; Michael Young, Chair, United States Commission on International Religious Freedom; Bob Seiple, Institute for Global Management, St. Davids, Pennsylvania; Virginia Foote, U.S.-Vietnam Trade Council, and Viet D. Dinh, Georgetown University Law Center, both of Washington, D.C.; Nguyen Dinh Thang, Boat People S.O.S., Inc., Falls Church, Virginia; and Rmahy Eban, Montagnard Refugee.

DOD CONTRACTORS AND TAX SYSTEM

Committee on Governmental Affairs: Permanent Subcommittee on Investigations concluded a hearing to examine Department of Defense contractors abuse of the federal tax system, focusing on the need to strengthen government financial management procedures and assure that Department of Defense contractors meet their federal tax obligations, after receiving testimony from Gregory D. Kutz and Steven J. Sebastian, both Directors of Financial Management and Assurance, and John J. Ryan, Assistant Director, Office of Special Investigations, all of the General Accounting Office; Mark W. Everson, Commissioner, Internal Revenue Service, and Richard L. Gregg, Commissioner, Financial Management Service, both of the Department of the Treasury; and Lawrence J. Lanzillotta, Principal Deputy Under Secretary of Defense (Comptroller) and Deputy Under Secretary of Defense for Management Reform.

BUSINESS MEETING

Committee on the Judiciary: Committee met to discuss certain committee business, made no announcements, and recessed subject to the call.

GUEST WORKER PROPOSAL

Committee on the Judiciary: Subcommittee on Immigration Border Security concluded a hearing to examine the President's proposal to create a new temporary worker program, focusing on immigration reform issues, enforcement of labor laws, labor demographics, and the Mexican Labor Program, after receiving testimony from Asa Hutchinson, Under Secretary for Border and Transportation Security, and Eduardo, Aguirre, Director, U.S. Citizenship and Immigration Services, both of the Department of Homeland Ssecurity; Steven J. Law, Deputy Secretary of Labor; Richard R. Birkman, Texas Roofing Company of Austin, Austin, Texas, on behalf of the National Roofing Contractors Association; Demetrios G. Papademetriou, Migration Policy Institute, and Charles Cervantes, United States-Mexico Chamber of Commerce, both of Washington, D.C.; and Vernon M. Briggs, Jr., Cornell University, Ithaca, New York.

SMALL BUSINESS ADMINISTRATION BUDGET

*Committee on Small Business and Entrepreneurship:*Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2005 for the Small Business Administration, after receiving testimony from Hector V. Barreto, Administrator, U.S. Small Business Administration; Anthony R. Wilkinson, National Association of Government Guaranteed Lenders, Inc., Stillwater, Oklahoma; David M. Coit, North Atlantic Capital, Portland, Maine, on behalf of the National Association of Small Business Investment Companies; Mary Mathews, Northeast Entrepreneur Fund, Inc., Virginia, Minnesota, on behalf of the Association for Enterprise Opportunity; and Ellen Golden, Coastal Enterprises, Inc., Wiscasset, Maine, on behalf of the Association of Women's Business Centers.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to the provisions of H. Con. Res. 361, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, it stands adjourned until 2 p.m. on Tuesday, February 24, 2004.

Committee Meetings

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense began fiscal year 2005 appropriation hearings. Testimony was heard from Donald H. Rumsfeld, Secretary of Defense.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies began fiscal year 2005 appropriation hearings. Testimony was heard from Elaine L. Chao, Secretary of Labor.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on Base Realignment and Closure. Testimony was heard from the following officials of the Department of Defense: Raymond F. DuBois, Jr., Deputy Under Secretary, Installations and Environment; Geoffrey Prosch, Acting Assistant Secretary, Installations and Environment, Department of the Army; Hansford T. Johnson, Assistant Secretary, Installations and Environment, Department of the Navy; and Nelson F. Gibbs, Assistant Secretary, Installations, Environment and Logistics, Department of the Air Force.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2005—DEPARTMENT OF THE NAVY

Committee on Armed Services: Held a hearing on the Fiscal year 2005 National Defense Authorization budget request for the Department of the Navy. Testimony was heard from the following officials of the Department of the Navy: Gordon R. England, Secretary; Adm. Vern Clark, USN, Chief of Naval Operations; and Michael W. Hagee, USMC, Commandant of the Marine Corps.

DEPARTMENT OF VETERANS AFFAIRS BUDGET PRIORITIES FISCAL YEAR 2005

Committee on the Budget: Held a hearing on the Department of Veterans Affairs Budget Priorities Fiscal Year 2005. Testimony was heard from Anthony J. Principi, Secretary of Veterans Affairs; and representatives of veterans organizations.

ENCOURAGING HEALTHY CHOICES FOR HEALTHY CHILDREN

Committee on Education and the Workforce: Subcommittee on Education Reform held a hearing entitled "Encouraging Healthy Choices for Healthy Children." Testimony was heard from public witnesses.

BROADCAST DECENCY ENFORCEMENT ACT

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet approved for full Committee action H.R. 3717, Broadcast Decency Enforcement Act of 2004.

MISCELLANEOUS MEASURES; REVIEW—THIS YEAR'S FLU SEASON

Committee on Government Reform: Ordered reported the following measures: H.R. 3536, To designate the facility of the United States Postal Service located at 210 Main Street in Malden, Illinois, as the "Army Staff Sgt. Lincoln Hollinsaid Malden Post Office"; H.R. 3537, To designate the facility of the United States Postal Service located at 185 State Street in Manhattan, Illinois, as the "Army Pvt. Shawn Pahnke Manhattan Post Office"; H.R. 3538, To designate the facility of the United States Postal Service located at 201 South Chicago Avenue in Saint Anne, Illinois, as the "Marine Capt. Ryan Beaupre Saint Anne Post Office"; H.R. 3690, To designate the facility of the United States Postal Service located at 2 West Main Street in Batavia, New York, as the "Barber Conable Post Office Building"; H.R. 3769, To designate the facility of the United States Postal Service located at 137 East Young High Pike in Knoxville, Tennessee, as the "Ben Atchley Post Office Building"; H. Res. 392, Congratulating the Detroit Shock for winning the 2003 Women's National Basketball Association championship; H. Res. 439, Honoring the life and career of Willie Shoemaker and expressing the condolences of the House of Representatives to his family and friends on his death; H. Con. Res. 287, Recognizing and honoring the life of the late Raul Julia, his dedication to ending world hunger, and his great contributions to the Latino community and the performing arts; and H. Res. 519, Expressing the sense of the House of Representatives with respect to the earthquake that occurred in San Luis Obispo County, California, on December 22, 2003.

The Committee approved the release of the transcript of the April 10, 2003 interview of Frank Salemme.

The Committee also held a hearing entitled "A Review of This Year's Flu Season: Does Our Public Health System Need a Shot in the Arm? Testimony was heard from the Department of Health and Human Services: Julie Gerberding, M.D., Director, Centers for Disease Control and Prevention; and Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH; Janet Heinrich, M.D., Director, Public Health Issues, GAO; and public witnesses.

AFGHANISTAN: DRUGS AND TERRORISM AND U.S. SECURITY POLICY

Committee on International Relations: Held a hearing on Afghanistan: Drugs and Terrorism and U.S. Security Policy. Testimony was heard from Representative Kirk; the following officials of the Department of State: Robert B. Charles, Assistant Secretary, Bureau for International Narcotics and Law Enforcement Affairs; and William B. Taylor, Jr., Coordinator for Afghanistan; Karen P. Tandy, Administrator, DEA, Department of Justice; and the following officials of the Department of Defense: Thomas W. O'Connell, Assistant Secretary, Special Operations and Low-Intensity Conflict; and Brig. Gen. Gary L. North, USAF, Director, Politico-Military Affairs for Asia-Pacific, Joint Chiefs of Staff.

ANTI-COUNTERFEITING AMENDMENTS OF 2003

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held a hearing on H.R. 3632, Anti-counterfeiting Amendments of 2003. Testimony was heard from public witnesses.

OVERSIGHT—ENERGY SUPPLY AND THE AMERICAN CONSUMER

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing entitled "Energy Supply and the American Consumer." Testimony was heard from Guy F. Caruso, Administrator, Department of Energy; and public witnesses.

LAND CONVEYANCE

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on H.R. 3505, to amend the Bend Pine Nursery Land Conveyance Act to specify the recipients and consideration for conveyance of the Bend Pine Nursery. Testimony was heard from Elizabeth Estill, Deputy Chief of Programs, Legislation and Communication, Forest Service, USDA; and public witnesses.

PRESIDENT'S VISION FOR SPACE EXPLORATION

Committee on Science: Held a hearing on the President's Vision for Space Exploration. Testimony was heard from Sean O'Keefe, Administrator, NASA; and John Marburger III, Director, Office of Science and Technology Policy.

OVERSIGHT—AVIATION SECURITY

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Aviation Security: Progress and Problems in Passenger and Baggage Screening. Testimony was heard from the following officials of the Transportation Security Administration, Department of Homeland Security: Tom Blank, Assistant Administrator, Transportation Security Policy; and Randy Null, Chief Technology Officer; Cathleen Berrick, Director, Homeland and Justice Division, GAO; and public witnesses.

IRS COMPUTER MODERNIZATION

Committee on Ways and Means: Subcommittee on Oversight held a hearing on IRS Efforts to Modernize its Computer Systems. Testimony was heard from Mark Everson, Commissioner, IRS; Larry Levitan, member, IRS Oversight Board; Robert F. Dacey, Director, Accounting and Information Management Division, GAO; and public witnesses.

BRIEFING—GLOBAL INTELLIGENCE UPDATE

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy and National Security met in executive session to receive a briefing on Global Intelligence Update. The Subcommittee was briefed by departmental witnesses.

DEPARTMENT OF HOMELAND SECURITY'S PROPOSED FISCAL YEAR BUDGET

Select Committee on Homeland Security: Held a hearing entitled "The Department of Homeland Security's Proposed Fiscal Year 2005 Budget." Testimony was heard from Tom Ridge, Secretary of Homeland Security.

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Monday, February 23, 2004

Senate

Chamber Action

Routine Proceedings, pages 2166–2215

Measures Introduced: Seven bills and two resolutions were introduced, as follows: S. 2096–2102, S. Res. 305 and S. Con. Res. 90. **Page 2207**

Measures Reported:

Reported on Wednesday, February 18, during the adjournment:

S. 741, to amend the Federal Food, Drug, and Cosmetic Act with regard to new animal drugs, with an amendment in the nature of a substitute (S. Rept. No. 108–226). **Page 2207**

Washington's Farewell Address: Senator Breaux performed the traditional reading of Washington's Farewell Address. **Page 2166**

Healthy Mothers and Healthy Babies Access to Care Act: Senate resumed consideration of the motion to proceed to consideration of S. 2061, to improve women's health access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the delivery of obstetrical and gynecological services. **Page 2170**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at 9:30 a.m., on Tuesday, February 24, 2004, with a vote on the motion to invoke cloture on the motion to proceed to consideration of the bill to occur at 5 p.m. **Page 2213**

Protection of Lawful Commerce in Arms Act: Senate began consideration of the motion to proceed to consideration of S. 1805, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others. **Page 2198**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Wednesday, February 25, 2004. **Page 2198**

Subsequently, the motion to proceed to consideration of the bill was withdrawn. **Page 2198**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

U.N. Convention Against Transnational Organized Crime (Treaty Doc. No. 108–16).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. Page 2212

Nominations Received: Senate received the following nominations:

Paul V. Applegarth, of Connecticut, to be Chief Executive Officer, Millennium Challenge Corporation. (New Position)

John Campbell, of Virginia, to be Ambassador to the Federal Republic of Nigeria.

Ricardo H. Hinojosa, of Texas, to be Chair of the United States Sentencing Commission.

Michael O'Neill, of Maryland, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2009. (Reappointment)

38 Air Force nominations in the rank of general.

1 Coast Guard nomination in the rank of admiral.

Routine lists in the Army, Foreign Service. Page 2213

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

Jaymie Alan Durnan, of New Hampshire, to be an Assistant Secretary of the Army, vice Mario P. Fiori, which was sent to the Senate on November 21, 2003. Page 2215

Measures Placed on Calendar: Page 2206

Enrolled Bills Presented: Page 2207

Additional Cosponsors: Page 2207

Statements on Introduced Bills/Resolutions: Page 2209

Additional Statements: Page 2203

Notices of Hearings/Meetings: Page 2212

Privilege of the Floor: Page 2212

Adjournment: Senate convened at 12 noon, and adjourned at 6:32 p.m., until 9:30 a.m., on Tuesday, February 24, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 2213.)

Committee Meetings

2005 BUDGET: DEPARTMENT OF THE TREASURY

Committee on the Budget: on Friday, February 13, Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2005 for the Department of the Treasury, after receiving testimony from John W. Snow, Secretary of the Treasury.

House of Representatives

Chamber Action

The House was not in session today. The House will meet on Tuesday, February 24, 2004 at 2 p.m.

Committee Meetings

No committee meetings were held.

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Tuesday, February 24, 2004

Senate

Chamber Action

Routine Proceedings, pages 2218–83

Measures Introduced: Eight bills were introduced, as follows: S. 2103–2110. Page 2271

Measures Passed:

Commemoration of the Birth of Constantino Brumidi: Senate agreed to H. Con. Res. 264, authorizing and requesting the President to issue a proclamation to commemorate the 200th anniversary of the birth of Constantino Brumidi. Page 2282

Printing of History of the United States Capitol: Senate agreed to H. Con. Res. 358, authorizing the printing of "History of the United States Capitol" as a House document. Page 2282

Permitting the Use of the Capitol Rotunda: Senate agreed to H. Con. Res. 359, permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Page 2282

Healthy Mothers and Healthy Babies Access to Care Act: Senate continued consideration of the motion to proceed to consideration of S. 2061, to improve women's health access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the delivery of obstetrical and gynecological services. Page 2218

During consideration of this measure today, Senate also took the following action:

By 48 yeas to 45 nays (Vote No. 15), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to proceed to consideration of the bill. Page 2258

Subsequently, the motion to proceed to consideration of the bill was withdrawn.

Protection of Lawful Commerce in Arms Act Agreement: A unanimous-consent-time agreement was reached providing for further consideration of the motion to proceed to consideration of S. 1805, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others, with a vote on the motion to invoke cloture on the motion to proceed to consideration of the bill to occur at 10:30 a.m. Page 2283

Measures Read First Time: Page 2270

Executive Communications: Page 2270

Additional Cosponsors: Page 2271

Statements on Introduced Bills/Resolutions: Page 2273

Additional Statements: Page 2270

Notices of Hearings/Meetings: Page 2281

Authority for Committees to Meet: Page 2281

Privilege of the Floor: Page 2282

Record Votes: One record vote was taken today. (Total—15) Page 2258

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:45 p.m., until 9:30 a.m., on Wednesday, February 25, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 2283.)

Committee Meetings

MAD COW DISEASE

Committee on Appropriations: Committee concluded a hearing to examine the federal government's response to bovine spongiform encephalopathy (mad cow disease), focusing on how the finding of BSE has affected cattle and beef markets and what the short-term outlook is for these markets in coming months, including the Administration's efforts to normalize trade in certain U.S. export markets, and the development of a national animal identification program, after receiving testimony from Elsa A. Murano, Under Secretary for Food Safety, Keith J. Collins, Chief Economist, and Ron DeHaven, Deputy Administrator for Veterinary Services, Animal and Plant Health Inspection Service, all of the Department of Agriculture; Lester Crawford, Deputy Commissioner, Food and Drug Administration, Julie Louise Gerberding, Director, Centers for Disease Control and Prevention, and Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health, all of the Department of Health and Human Services; and Dennis C. Wolff, Pennsylvania Department of Agriculture, Harrisburg.

GOVERNMENT SPONSORED ENTERPRISES

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings to examine proposals for improving the regulation of the housing-related government sponsored enterprises (GSEs), specifically the Federal National Mortgage Association (Fannie Mae), the Federal Home Loan Mortgage Corporation (Freddie Mac), and the Federal Home Loan Banks (FHLBs), and a proposal for the GSE regulator with certain authority, after receiving testimony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System.

INTERNET VOICE SERVICES

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine Internet voice services and the role of the Federal Communications Commission to facilitate the growth and development of voice-over-Internet-protocol, after receiving testimony from Senator Alexander; Michael K. Powell, Chairman, Federal Communications Commission; Jeffrey Citron, Vonage Holdings Corporation, Edison, New Jersey; Glen A. Britt, Time Warner Cable, Stamford, Connecticut; Glen F. Post, CenturyTel Incorporated, Monroe, Louisiana; Stan Wise, Georgia Public Service Commission, Atlanta, on behalf of the National Association of Regulatory Utility Commissioners; and Kevin Werbach, Supernova Group LLC, Villanova, Pennsylvania.

NATION'S ELECTRICITY

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the current state of the nation's electricity transmission grid, focusing on the reliability of the bulk electric systems in North America, and the recommendations of the North American Reliability Council (NERC) to prevent and mitigate future blackouts, after receiving testimony from James W. Glotfelty, Director, Office of Electric Transmission and Distribution and U.S. Director of the Power System Outage Task Force, Department of Energy; Michehl R. Gent, North American Electric Reliability Council, Princeton, New Jersey; Phillip G. Harris, PJM Interconnection, L.L.C., Norristown, Pennsylvania; James P. Torgerson, Midwest Independent Transmission System Operator, Indianapolis, Indiana; and Louise McCarren, Western Energy Coordinating Council, Salt Lake City, Utah.

HAITI

Committee on Foreign Relations: Committee met in closed session to receive a briefing on Haiti's political crisis from Roger Noriega, Assistant Secretary of State for Western Hemisphere Affairs.

MIDDLE EAST

Committee on Foreign Relations: Committee concluded a hearing to examine rethinking the road map regarding the Middle East, focusing on psychological obstacles to diplomacy, the 1967 ceasefire lines, Israeli settlements in

the Gaza Strip, and Palestinian political reform, after receiving testimony from Henry A. Kissinger, former Secretary of State, Dennis Ross, Washington Institute for Near East Policy, Robert Malley, International Crisis Group, and Martin Indyk, Brookings Institution, all of Washington, D.C.

U.S. POSTAL SERVICE WORKFORCE REFORM

Committee on Governmental Affairs: Committee concluded a hearing to examine the Report of the President's Commission on the United States Postal Service, focusing on the Commission's workforce recommendations, including performance-based compensation systems, collective bargaining for pension and retiree health benefits, and funding of accrued military service retirement benefits for postal employees covered by the Civil Service Retirement System, after receiving testimony from Dan G. Blair, Deputy Director, Office of Personnel Management; William H. Young, National Association of Letter Carriers, William Burrus, American Postal Workers Union (AFL–CIO), and John F. Hegarty, National Postal Mail Handlers Union, all of Washington, D.C.; and Dale A. Holton, National Rural Letter Carriers' Association, Alexandria, Virginia.

CYBERTERRORISM IN THE 21ST CENTURY

Committee on the Judiciary: Subcommittee on Terrorism, Technology, and Homeland Security concluded a hearing to examine the current threat of cyberterrorism, focusing on federal, state and local efforts to secure information networks, after receiving testimony from John G. Malcolm, Deputy Assistant Attorney General, and Keith Lourdeau, Deputy Assistant Director, Cyber Division, Federal Bureau of Investigation, both of the Department of Justice; Amit Yoran, Director, National Cyber Security Division, Department of Homeland Security; Howard A. Schmidt, eBay Incorporated, San Jose, California; and Dan Verton, Burke, Virginia.

NATIONAL SECURITY THREATS

Select Committee on Intelligence: Committee concluded a hearing to examine current and future worldwide threats to the national security of the United States, focusing on global terrorism, Russia's nuclear weapons stockpile, chemical and biological weapons, missiles, information operations, and international crime, after receiving testimony George J. Tenet, Director, Central Intelligence Agency; Robert S. Mueller III, Director, Federal Bureau of Investigation, Department of Justice; and Vice Admiral Lowell E. Jacoby, U.S. Navy, Director, Defense Intelligence Agency.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

PREDATORY LENDING

Special Committee on Aging: Committee concluded a hearing to examine federal and state government protection of older Americans from predatory financial lenders, including the usefulness of consumer education, counseling, and disclosures as a deterrence, after receiving testimony from David G. Wood, Director, Financial Markets and Community Investment, General Accounting Office; John C. Weicher, Assistant Secretary of Housing and Urban Development for Housing-Federal Housing Commissioner; Howard Beales, Director, Bureau of Consumer Protection, Federal Trade Commission; Gavin M. Gee, Idaho Department of Finance, Boise; Lavada E. DeSalles, American Association of Retired Persons, Washington, D.C.; and Veronica Harding, Philadelphia, Pennsylvania.

House of Representatives

Chamber Action

Measures Introduced: 9 public bills, H.R. 3817–3825; and 7 resolutions, H. Con. Res. 364–366, and H. Res. 530–533 were introduced. **Page 2342**

Additional Cosponsors: **Page 2343**

Reports Filed: Reports were filed today as follows:

Filed on February 18, H. Con. Res. 189, celebrating the 50th anniversary of the International Geophysical Year (IGY) and supporting an International Geophysical Year–2 (IGY–2) in 2007–08, amended (H. Rept. 108–422);

Filed on February 18, H.R. 1292, to encourage the development and integrated use by the public and private sectors of remote sensing and other geospatial information, amended (H. Rept. 108–423);

H.R. 2707, to direct the Secretaries of the Interior and Agriculture, acting through the U.S. Forest Service, to carry out a demonstration program to assess potential water savings through control of Salt Cedar and Russian Olive on forests and public lands administered by the Department of the Interior and the U.S. Forest Service, amended (H. Rept. 108–424, Pt. 1);

H.R. 2391, to amend title 35, United States Code, to promote research among universities, the public sector, and private enterprise, amended (H. Rept. 108–425);

H.R. 3036, to authorize appropriations for the Department of Justice for fiscal years 2004 through 2006, amended (H. Rept. 108–426); and

H. Res. 529, providing for consideration of H.R. 1997, to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder (H. Rept. 108–427). **Page 2342**

Speaker: Read a letter from the Speaker wherein he appointed Representative Leach to act as Speaker pro tempore for today. **Page 2284**

Chaplain: The prayer was offered today by Bishop Alfred A. Owens, Jr., Greater Mt. Calvary Holy Church in Washington, DC. **Page 2284**

Journal: Agreed to the Speaker's approval of the Journal of Wednesday, February 11, 2004 by a yea-and-nay vote of 381 yeas to 32 nays, Roll No. 25. **Page 2295**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Salt Cedar and Russian Olive Control Demonstration Act: H.R. 2707, amended, to direct the Secretaries of the Interior and Agriculture, acting through the U.S. Forest Service, to carry out a demonstration program to assess potential water savings through control of Salt Cedar and Russian Olive on forests and public lands administered by the Department of the Interior and the U.S. Forest Service, by a ⅔ yea-and-nay vote of 367 yeas to 40 nays, Roll No. 26; **Pages 2287, 2296**

Agreed to amend the title so as to read: a bill to provide for an assessment of the extent of the invasion of Salt Cedar and Russian Olive on lands in the Western United States and efforts to date to control such invasion on public and private lands, including tribal lands, to establish a demonstration program to address the invasion of Salt Cedar and Russian Olive, and for other purposes. **Page 2297**

Southwest Forest Health and Wildfire Prevention Act of 2003: H.R. 2696, amended, to establish Institutes to demonstrate and promote the use of adaptive ecosystem management to reduce the risk of wildfires, and restore the health of fire-adapted forest and woodland ecosystems of the interior West; and **Page 2290**

Providing for the conveyance of land in Douglas County, Oregon: S. 714, to provide for the conveyance of a small parcel of Bureau of Land Management land in Douglas County, Oregon, to the county to improve management of and recreational access to the Oregon Dunes National Recreation Area, by a ⅔ yea-and-nay vote of 397 yeas with none voting "nay", Roll No. 27. **Pages 2293, 2297**

Recess: The House recessed at 3 p.m. and reconvened at 6:33 p.m. **Page 2294**

GAO Human Capital Reform Act of 2003: Agreed that it shall be in order at any time without intervention of any point of order to consider H.R. 2751, to provide new human capital flexibilities with respect to the GAO; that the bill shall be considered as read for amendment; that the amendment in the nature of a substitute recommended by the Committee on Government Reform now printed in the bill shall be considered as adopted; that all points of order against the bill, as amended, are waived; and the previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, and (2) one motion to recommit with or without instructions. **Page 2294**

Member Sworn—6th District of Kentucky: Representative-elect A.B. "Ben" Chandler presented himself in the well of the House and was administered the oath of office by the Speaker. Earlier, read a letter from the Clerk transmitting a copy of the original Certificate of Election received from the Honorable Trey Grayson, Secretary of State, Commonwealth of Kentucky, indicating that, on examination of the Official Abstracts of Votes on file in that office for the special election held on February 17, 2004, the Honorable A.B. "Ben" Chandler was duly elected Representative in Congress for the Sixth Congressional District, Commonwealth of Kentucky. **Page 2295**

Senate Message: Message received from the Senate today appears on page 2284.

Senate Referral: S. 1786 was referred to the Committees on Education and the Workforce, Energy and Commerce, and Ways and Means. **Page 2330**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages 2295–98. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 12 a.m.

Committee Meetings

FEDERAL EMPLOYEES—NEED FOR DENTAL AND VISION BENEFITS

Committee on Government Reform: Subcommittee on Civil Service and Agency Organization held an oversight hearing entitled "We'd Like to See You Smile: The Need for Dental and Vision Benefits for Federal Employees (H.R. 3751)." Testimony was heard from Abby Block, Deputy Associate Director, OPM; and public witnesses.

U.S. AND THE IRAQI MARSHLANDS: AN ENVIRONMENTAL RESPONSE

Committee on International Relations: Subcommittee on the Middle East and Central Asia held a hearing on United States and the Iraqi Marshlands: An Environmental Response. Testimony was heard from the following officials of the Bureau for Asia and the Near East, AID, Department of State: Gordon West, Acting Assistant Administrator, and John Wilson, Senior Environmental Officer; and public witnesses.

OVERSIGHT—SATELLITE HOME VIEWER IMPROVEMENT ACT REAUTHORIZATION

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing entitled "Reauthorization of the Satellite Home

Viewer Improvement Act." Testimony was heard from Marybeth Peters, Register of Copyrights, Library of Congress; and public witnesses.

UNBORN VICTIMS OF VIOLENCE ACT

Committee on Rules: Granted, by voice vote, a modified closed rule providing two hours of debate in the House on H.R. 1997, Unborn Victims of Violence Act of 2004, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule provides that the bill shall be considered as read for amendment. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying the resolution, shall be considered as adopted. The rule provides for consideration of the amendment in the nature of a substitute printed in part B of the report of the Committee on Rules, if offered by Representative Lofgren or her designee, which shall be considered as read and shall be debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in part B of the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Chabot and Lofgren.

WORLD-WIDE THREATS

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on World-wide Threats. Testimony was heard from departmental witnesses.

Joint Meetings

DISABLED AMERICAN VETERANS

Joint Hearing: Senate Committee on Veterans' Affairs concluded joint hearings with the House Committee on Veterans' Affairs to examine certain legislative recommendations and concerns of wartime service-connected disabled veterans, after receiving testimony from Alan W. Bowers, Disabled American Veterans, Cold Spring, Kentucky.

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Wednesday, February 25, 2004

Senate

Chamber Action

Routine Proceedings, pages 2436–2517

Measures Introduced: Nineteen bills and three resolutions were introduced, as follows: S. 2111–2129, S.J. Res. 28, and S. Con. Res. 91–92. **Page 2493**

Measures Reported:

S. 930, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to establish a program to provide assistance to enhance the ability of first responders to prepare for and respond to all hazards, with an amendment in the nature of a substitute. (S. Rept. No. 108–227) **Page 2493**

Measures Passed:

Permitting the Use of the Rotunda of the Capitol: Senate agreed to H. Con. Res. 357, permitting the use of the rotunda of the Capitol for a ceremony to award a Congressional Gold Medal to Dr. Dorothy Height. **Page 2514**

Congratulating Focus: Hope: Senate agreed to S. Con. Res. 92, congratulating and saluting Focus: Hope on the occasion of its 35th anniversary and for its remarkable commitment and contributions to Detroit, the State of Michigan, and for the United States. **Page 2515**

Protection of Lawful Commerce in Arms Act: Senate resumed consideration of the motion to proceed to consideration of S. 1805, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others. **Page 2437**

During consideration of this measure today, Senate also took the following action:

By 75 yeas to 22 nays (Vote No. 16), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Page 2443**

A unanimous-consent-time agreement was reached providing for consideration of the bill (S. 1805), at 9:30 a.m., on Thursday, February 26, 2004, with certain amendments to be proposed thereto; further, that at 9:35 a.m., on Tuesday, March 2, 2004, the pending amendments be withdrawn, with certain exceptions, with certain additional amendment to be proposed, and that the time prior to 11:35 a.m. that day be equally divided for debate on all amendments concurrently; that no second degree amendments be in order; that at 11:35 a.m., Senate vote on Feinstein Amendment, followed by a vote on Reed Amendment, to be followed by a vote on Campbell Amendment, to be followed by a vote on Kennedy Amendment, to be followed by a vote on the D.C. ban amendment; further that following the disposition of the aforementioned amendments, the bill be read a third time and the Senate vote on final passage of the bill. **Page 2517**

Appointments:

United States-China Economic Security Commission: The Chair, on behalf of the President pro tempore, pursuant to Public Law 106–398, as amended by Public Law 108–7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106–398, and upon the recommendation of the Majority Leader, in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, appointed the following individual to the United States-China Economic Security Review Commission: Gary J. Schmitt, of Washington, D.C., vice Michael A. Ledeen of Maryland. Page 2514

Commission on Systemic Interoperability: The Chair, on behalf of the Democratic Leader, pursuant to Public Law 108–173, appointed the following individual to serve as a member of the Commission on Systemic Interoperability: Herbert Pardes, M.D., of New York. Page 2514

Messages From the House: Page 2491

Measures Referred: Page 2491

Measures Placed on Calendar: Page 2491

Executive Communications: Page 2491

Additional Cosponsors: Page 2494

Statements on Introduced Bills/Resolutions: Page 2495

Additional Statements: Page 2490

Amendments Submitted: Page 2507

Notices of Hearings/Meetings: Page 2508

Authority for Committees to Meet: Page 2509

Privilege of the Floor: Page 2509

Record Votes: One record vote was taken today. (Total—16) Page 2443

Adjournment: Senate convened at 9:30 a.m., and adjourned at 11:09 p.m., until 9:30 a.m., on Thursday, February 26, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 2517.)

Committee Meetings

APPROPRIATIONS: DISTRICT OF COLUMBIA

Committee on Appropriations: Subcommittee on the District of Columbia concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the government of the District of Columbia, after receiving testimony from Rufus G. King III, Chief Judge, Superior Court of the District of Columbia; Annice M. Wagner, Chief Judge, D.C. Court of Appeals and Chair, Joint Committee on Judicial Administration; and Frederick Lindstrom, U.S. Commission of Fine Arts, Craig W. Floyd, National Law Enforcement Memorial Fund, and Patricia Gallagher, National Capital Planning Commission, all of Washington, D.C.

SEXUAL ASSAULT PREVENTION

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine policies and programs for preventing and responding to incidents of sexual assault in the armed services, after receiving testimony from David S.C. Chu, Under Secretary of Defense for Personnel and Readiness; General George W. Casey, Jr., USA, Vice Chief of Staff, United States Army; Admiral Michael G. Mullen, USN, Vice Chief of Naval Operations, and Terri J. Rau, Head, Policy and Prevention Section, Counseling, Advocacy and Prevention Branch, Navy Personnel Command, Bureau of Naval Personnel, both of the United States Navy; General William L. Nyland, USMC, Assistant Commandant, United States Marine Corps; General T. Michael Moseley, USAF, Vice Chief of Staff, United States Air Force; Susan H. Mather, Chief Officer, Office of Public Health and Environmental Hazards, Veterans Health Administration, Department of Veterans' Affairs; Christine Hansen, The Miles Foundation, Newtown, Connecticut; and Deborah D. Tucker, National Center on Domestic and Sexual Violence, Austin, Texas.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine the Department of Energy's Office of Environmental Management, Office of Future Liabilities, and Office of Legacy Management, in review of the defense authorization request for fiscal year 2005, after receiving testimony from Jessie H. Roberson, Assistant Secretary for Environment Management, and Michael W. Owen, Director, Office of Legacy Management, both of the Department of Energy.

MUTUAL FUND INDUSTRY

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine current investigations and regulatory actions regarding the mutual fund industry, focusing on understanding the fund industry from the investor's perspective, including the role of State Treasurers, financial literacy Programs, management fee disclosure, and the recent scandals in the industry, after receiving testimony from Gary Gensler, Brooklandville, Maryland, former Under Secretary of the Treasury for Domestic Finance; Tim Berry, Indiana State Treasurer, Indianapolis, on behalf of the National Association of State Treasurers; James S. Riepe, T. Rowe Price Group, Inc., Baltimore, Maryland; Don Phillips, Morningstar, Inc., Chicago, Illinois; and James K. Glassman, American Enterprise Institute, Washington, D.C.

HOUSING GSEs

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine proposals for im-

proving the regulation of the housing government sponsored enterprises (GSEs), after receiving testimony from Franklin D. Raines, Fannie Mae, Washington, D.C.; Richard F. Syron, Freddie Mac, McLean, Virginia; and Norman B. Rice, Federal Home Loan Bank of Seattle, Seattle, Washington.

DEPARTMENT OF HOMELAND SECURITY BUDGET

Committee on the Budget: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2005 for the Department of Homeland Security, after receiving testimony from Tom Ridge, Secretary of Homeland Security.

SEAFOOD PROCESSOR QUOTAS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the economic implications of seafood processor quotas, focusing on the Alaska crab rationalization plan developed by North Pacific Fishery Management Council, including effects on competition of the rationalization plan and antitrust issues associated with the plan's price arbitration system, after receiving testimony from J. Bruce McDonald, Deputy Assistant Attorney General, Antitrust Division, Department of Justice; Anu K. Mittal, Director, National Resources and Environment, and Keith Oleson, Assistant Director, both of the General Accounting Office; Robert Halvorsen, University of Washington, and Joseph T. Plesha, Trident Seafoods Corporation, both of Seattle; Scott C. Matulich, Washington State University, Pullman; Richard D. Young, Crescent City, California, on behalf of the Fishermen's Marketing Association; and Richard Powell, Kodiak, Alaska.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the United Nations Convention on the Law of the Sea, with Annexes, done at Montego Bay, December 10, 1982 (the "Convention'), and the Agreement Relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, with Annex, adopted at New York, July 28, 1994 (the "Agreement"), and signed by the United States, subject to ratification, on July 29, 1994 (Treaty Doc. 103–39).

TAX TREATIES

Committee on Foreign Relations: Committee concluded a hearing to examine the Convention Between the Government of the United States of America and the Government of Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, signed at Washington on November 6, 2003, together with a Protocol and an exchange of notes (the "Convention") (Treaty Doc. 108–14), and the Protocol Amending the Convention Between the Government of the United States of America and the Government of the Democratic Socialist Republic of Sri Lanka for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income signed at Colombo on March 14, 1985, together with an exchange of notes, signed at Washington on September 20, 2002 (the "Protocol") (Treaty Doc. 108–9), focusing on a zero-rate dividend provision, anti-conduit rules, insurance excise tax, restructured financial institutions, and the U.S. operating subsidiary, after receiving testimony from Barbara M. Angus, International Tax Counsel, Department of the Treasury; George Yin, Chief of Staff, Joint Committee on Taxation; William A. Reinsch, National Foreign Trade Council, and James W. Fatheree, U.S.-Japan Business Council, both of Washington, D.C.

USAID CONTRACTING POLICIES

Committee on Foreign Relations: Subcommittee on International Economic Policy, Export and Trade Promotion concluded a hearing to examine the United States Agency for International Development's (USAID) contracting policies, focusing on programs in Afghanistan and Iraq, after receiving testimony from Everett L. Mosley, Inspector General, and Tim Beans, Director, Office of Procurement, both of the United States Agency for International Development; Frederick D. Barton, Center for Strategic and International Studies, Allan V. Burman, Jefferson Solutions, and Marcus L. Stevenson, The Urban Institute, all of Washington, D.C.

INDIAN PROGRAMS BUDGET

Committee on Indian Affairs: Committee concluded hearings to examine the President's proposed budget request for fiscal year 2005 for Indian Programs, after receiving testimony from Ross Swimmer, Special Trustee for American Indians, Department of the Interior; Gary J. Hartz, Acting Director, Office of Public Health, Indian Health Service, and Douglas Black, Director, Office of Tribal Programs, Indian Health Service, both of the Department of Health and Human Services; Victoria Vasques, Deputy Under Secretary, and Director, Office of Indian Education, and Lonna Jones, Acting Director, Elementary, Secondary and Vocational Analysis Division, Budget Service, both of the Department of Education; Michael Liu, Assistant Secretary of Housing and Urban Development for Public and Indian Housing; David Garman, Assistant Secretary of Energy for Energy Efficiency and Renewable Energy; and Tracy Henke, Deputy Associate Attorney General, Department of Justice.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of Roger T. Benitez, to be United States District Judge for the Southern District of California, after the nominee, who was introduced by Senator Feinstein, testified and answered questions in his own behalf. Testimony was also received from Marilyn L.

Huff, Chief Judge, U.S. District Court for the Southern District of California; and Thomas Z. Hayward, Jr., Chicago, Illinois, and Richard M. Macias, Los Angeles, California, both on behalf of the Standing Committee on Federal Judiciary, American Bar Association.

House of Representatives

Chamber Action

Measures Introduced: 19 public bills, H.R. 3826–3844; and 7 resolutions, H. Con. Res. 367–370, and H. Res. 534, 535, and 537, were introduced. **Page 2433**

Additional Cosponsors: **Page 2434**

Reports Filed: Reports were filed today as follows:

H. Res. 536, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–428). **Page 2433**

Speaker: Read a letter from the Speaker wherein he appointed Representative LaHood to act as Speaker Pro Tempore for today. **Page 2377**

GAO Human Capital Reform Act of 2003: The House passed H.R. 2751, to provide new human capital flexibilities with respect to the GAO, by a yea and nay vote of 382 yeas to 43 nays, Roll No. 28. **Pages 2379, 2395**

Pursuant to the unanimous consent agreement of Tuesday, February 24, the amendment in the nature of a substitute recommended by the Committee on Government Reform now printed in the bill was considered as adopted. **Page 2383**

The bill was considered under a unanimous consent agreement reached on Tuesday, February 24. **Page 2379**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing and honoring the life of Raul Julia: H. Con. Res. 287, recognizing and honoring the life of the late Raul Julia, his dedication to ending world hunger, and his great contributions to the Latino community and the performing arts by a ⅔ yea and nay vote of 422 yeas with none voting "nay", Roll No. 29; **Pages 2384, 2396**

Barber Conable Post Office Building Designation Act: H.R. 3690, to designate the facility of the United States Postal Service located at 2 West Main Street in Batavia, New York, as the "Barber Conable Post Office Building". **Page 2386**

Recess: The House recessed at 10:48 a.m. and reconvened at 2:19 p.m. **Page 2387**

Consideration of Unborn Victims of Violence Act: The House agreed to H. Res. 529, the rule that is providing for consideration of H.R. 1997, to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, by a voice vote. **Page 2387**

Quorum Calls—Votes: Two yea and nay votes developed during the proceedings today and appear on pages 2395–97. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:16 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies began fiscal year 2005 appropriation hearings. Testimony was heard from the following officials of USDA: Ann M. Veneman, Secretary; James R. Mosley, Deputy Secretary; Keith Collins, Chief Economist; and Stephen B. Dewhurst, Budget Officer.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to receive a briefing on the CIA. Testimony was heard from George J. Tenet, Director, CIA.

INTERIOR AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior and Related Agencies began fiscal year 2005 appropriation hearings. Testimony was heard from the following officials of the Department of the Interior: Gale A. Norton, Secretary; P. Lynn Scarlett, Assistant Secretary, Policy, Management and Budget; and John D. Trezise, Director, Budget.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies hearing on SSA. Testimony was heard from the following officials of the SSA: Jo Anne Barnhart, Commissioner; and James G. Huse, Jr., Inspector General.

The Subcommittee also held a hearing on the Corporation for Public Broadcasting. Testimony was heard from the following officials of the Corporation for Public Broadcasting: Robert Coonrod, President and CEO; Pat Mitchell, President and CEO, Public Broadcasting Service; and Kevin Close, President and CEO, National Public Broadcasting.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on the following: the Quality of Life; and on Quality of Life in the Military with Spouses. Testimony was heard from Sgt. Major Kenneth O. Preston, USA; Master Chief Petty Officer Terry D.

Scott, USN; Sgt. Major John L. Estrada, USMC; and Chief Master Sgt. Gerald R. Murray, USAF.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD and Independent Agencies on the following: the Office of Science and Technology Policy; on Arlington Cemetery; on Consumer Product Commission; and on the Council on Environmental Quality. Testimony was heard from John H. Marburger, Director, Office of Science and Technology Policy, and President's Science Advisor; John Paul Woodley, Jr., Assistant Secretary, Civil Works, Department of the Army; Hal Stratton, Chairman; Thomas H. Moore and Mary Sheila Gall, both Commissioners, Consumer Product Safety Commission; and James Laurence Connaughton, Chairman, Council on Environmental Quality.

RESOLUTION REGARDING VALERIE PLAME; NATIONAL DEFENSE AUTHORIZATION REQUEST—DEPARTMENT OF THE ARMY

Committee on Armed Services: Ordered reported adversely H. Res. 499, Requesting the President and directing the Secretary of State, the Secretary of Defense, and the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the President and those officials relating to the disclosure of the identity and employment of Ms. Valerie Plame.

The Committee also held a hearing on the Fiscal Year 2005 National; Defense Authorization budget request of the Department of the Army. Testimony was heard from the following officials of the Department of the Army: Les Brownlee, Acting Secretary; and Gen. Peter J. Schoomaker, USA, Chief of Staff.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—SPACE PROGRAMS

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on the Fiscal Year 2005 National Defense Authorization budget request: Status of the Space Programs. Testimony was heard from Peter B. Teets, Under Secretary, Department of the Air Force.

DOD FORCE HEALTH PROTECTION AND SURVEILLANCE EFFORTS FOR SERVICE MEMBERS

Committee on Armed Services: Subcommittee on Total Force held a hearing on the Department of Defense force health protection and surveillance efforts for service members deployed to Operation Enduring Freedom and Operation Iraqi Freedom. Testimony was heard from the following officials of the Department of Defense: William Winkenwerder, Jr., M.D., Assistant Secretary, Health Affairs; Lt. Gen. James J. Peake, M.D., USA., The Surgeon General, U.S. Army, Commander, U.S. Medical Command; Sgt. Major Kenneth O. Preston, Sgt. Major, USA; and CPL Victor Thibeault, U.S. Army, 10th Mountain Division, Fort Drum, New York; the following officials of the Department of Veterans' Affairs: Michael J. Kussman, M.D., Deputy Chief, Patient Care Officer, Veterans Health Administration; Susan H. Mather, M.D., Chief Officer, Public Health and Environmental Hazards; and Laurent S. Lehmann, M.D., Chief, Mental Health Strategic Health Care Group; and public witnesses.

ECONOMIC OUTLOOK AND CURRENT FISCAL ISSUES

Committee on the Budget: Held a hearing on The Economic Outlook and Current Fiscal Issues. Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System.

STRENGTHENING PENSION SECURITY FOR ALL AMERICANS

Committee on Education and the Workforce: Held a hearing entitled "Strengthening Pension Security for All Americans: Are Workers Prepared for a Safe and Secure Retirement?" Testimony was heard from public witnesses.

U.S. OLYMPIC COMMITTEE REFORM ACT; CONSUMER ACCESS TO INFORMATION ACT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection approved for full Committee action the following: the United States Olympic Committee Reform Act; and the Consumer Access to Information Act of 2004.

SECURITIES FRAUD DETERRENCE AND INVESTOR RESTITUTION ACT; BUDGET VIEWS AND ESTIMATES; COMMITTEE BUSINESS

Committee on Financial Services: Ordered reported, as amended, H.R. 2179, Securities Fraud Deterrence and Investor Restitution Act of 2003.

The Committee approved the following: as amended, "Views and Estimates of the Committee on Financial Services on Matters to be Set Forth in the Concurrent Resolution on the Budget for Fiscal Year 2005"; and other pending Committee business.

IMPROVE REGULATORY ACCOUNTING: COSTS, BENEFITS, AND IMPACTS OF FEDERAL REGULATIONS

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing entitled "How to Improve Regulatory Accounting: Costs, Benefits, and Impacts of Federal Regulations—Part II." Testimony was heard from John D. Graham, Administrator, Office of Information and Regulatory Affairs, OMB; Thomas M. Sullivan, Chief Counsel for Advocacy, SBA; and public witnesses.

U.S. PACIFIC ISLAND TERRITORIES—HEALTH CARE DISPARITIES

Committee on Government Reform: Subcommittee on Human Rights and Wellness held a hearing on "Investigation Into Health Care Disparities in the United States Pacific Island Territories." Testimony was heard from David Cohen, Deputy Assistant Secretary, Office of Insular Affairs, Department of the Interior; Nathan Stinson, Jr., M.D., Deputy Assistant Secretary, Office of Minority Health, Department of Health and Human Services; Felix Camacho, Governor, Territory of Guam; Juan Babauta, Governor, Commonwealth of the Northern Mariana Islands; Togiola Tulafono, Governor, American Samoa; and Jefferson Benjamin, M.D., Secretary of Health, Department of Health, Education, and Social Affairs, Federated States of Micronesia.

RESOLUTION REGARDING VALERIE PLAME; MISCELLANEOUS MEASURES

Committee on International Relations: Ordered reported the following measures: H. Res. 499, adversely, Requesting the President and directing the Secretary of State, the Secretary of Defense, and the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the President and those officials relating to the disclosure of the identity and employment of Ms. Valerie Plame; and H.R. 3818, amended, The Microenterprise Results and Accountability Act of 2004.

The Committee favorably considered the following measures and adopted a motion urging the Chairman to request that they be considered on the Suspension Calendar: H.R. 3782, Counter-Terrorist and Narco-Terrorist Rewards Program Act; H.R. 854, amended, Belarus Democracy Act of 2003; H. Res. 530, Urging passage of a resolution addressing human rights abuses in People's Republic of China at the 60th Session of the United Nations Commission on Human Rights, and calling upon the Government of People's Republic of China to respect and protect human rights; H. Con. Res. 15, Commending India on its celebration of Republic Day; H. Res. 526, Expressing the sympathy of the House of Representatives for the victims of the devastating earthquake that occurred on December 26, 2003 in Bam, Iran; and H. Con. Res. 364, To recognize more than 5 decades of strategic partnership between the United States and the people of the Marshall Islands in the pursuit of international peace and security.

RESOLUTION REGARDING VALERIE PLAME

Committee on the Judiciary: Ordered reported adversely H. Res. 499, Requesting the President and directing the Secretary of State, the Secretary of Defense, and the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the President and those officials relating to the disclosure of the identity and employment of Ms. Valerie Plame.

OVERSIGHT—IMMIGRATION FUNDING

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled "Funding for Immigration in the President's 2005 Budget." Testimony was heard from the following officials of the Department of Homeland Security: Michael Dougherty, Director, Operations, Immigration and Customs Enforcement; Eduardo Aguirre, Deputy Director and Chief of Staff, Citizenship and Immigration Services; and Seth Stodder, Counselor and Senior Policy Advisor to Commissioner Robert C. Bonner, U.S. Customs and Border Protection; and Daniel Smith, Principal Deputy Assistant Secretary, Consular Affairs, Department of State.

OVERSIGHT—EXAMINE POTENTIAL FOR A DELEGATE FROM NORTHERN MARIANA ISLANDS

Committee on Resources: Held an oversight hearing on An Examination of the Potential for a Delegate from the Commonwealth of the Northern Mariana Islands. Testimony was heard from David Cohen, Director, Office of Insular Affairs, Department of the Interior; the following officials of the Commonwealth of the Northern Mariana Islands: Juan N. Babauta, Governor; Pete A. Tenorio, Resident Representative; and Joaquin G. Adriano, Senate President; and a public witness.

OVERSIGHT—BUDGETS—BUREAU OF RECLAMATION, GEOLOGICAL SURVEY AND POWER MARKETING ADMINISTRATIONS

Committee on Resources: Subcommittee on Water and Power held an oversight hearing on the Proposed Fiscal Year 2005 Budgets for the Bureau of Reclamation, the U.S. Geological Survey and Power Marketing Administrations. Testimony was heard from the following officials of the Department of the Interior: John Keys III, Commissioner, Bureau of Reclamation; and Robert M. Hirsch, Associate Director, Water, U.S. Geological Survey; and the following officials of the Department of Energy: Michael S. Hacskaylo, Administrator, Western Area Power Administration; Stephen J. Wright, Administrator, Bonneville Power Administration; Michael A. Deihl, Administrator, Southwestern Power Administration; and Charles A. Borchardt, Administrator, Southeastern Power Administration.

SAME DAY CONSIDERATION OF RESOLUTION REPORTED BY THE RULES COMMITTEE CONCERNING SURFACE TRANSPORTATION EXTENSION ACT

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the

Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of February 26, 2004, providing for consideration or disposition of H.R. 3783, Surface Transportation Extension Act of 2004, or any amendment thereto.

CONFLICT BETWEEN SCIENCE AND SECURITY IN VISA POLICY

Committee on Science: Held a hearing on The Conflict Between Science and Security in Visa Policy: Status and Next Steps. Testimony was heard from Asa Hutchinson, Under Secretary, Border and Transportation Security, Department of Homeland Security; Janice Jacobs, Assistant Secretary, Office of Consular Affairs, Department of State; Jess Ford, Director, International Affairs and Trade, GAO; and Robert Garrity, Jr., Deputy Assistant Director, Record/Information Administration, FBI, Department of Justice.

BUDGET VIEWS AND ESTIMATES

Committee on Small Business: Approved Committee's Budget Views and Estimates for Fiscal Year 2005 for submission to the Committee on the Budget.

MISCELLANEOUS MEASURES; BUDGET VIEWS AND ESTIMATES

Committee on Transportation and Infrastructure: Ordered reported the following bills: H.R. 2523, to designate the United States courthouse located at 125 Bull Street in Savannah, Georgia, as the "Tomochichi United States Courthouse"; H.R. 2538, to designate the United States courthouse located at 400 North Miami Avenue in Miami, Florida, as the "Wilkie D. Ferguson, Jr., United States Courthouse"; H.R. 3147, amended, to designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the "James V. Hansen Federal Building"; and H.R. 3713, To designate the Federal building located at 250 West Cherry Street in Carbondale, Illinois the "Senator Paul Simon Federal Building".

The Committee also approved the following: Committee's Budget Views and Estimates for Fiscal Year 2005 for submission to the Committee on the Budget; U.S. Army Corps Survey Resolutions; and GSA Fiscal Year 2004 Leasing Resolutions.

IC ANALYTICAL CAPABILITIES AND INFORMATION SHARING

Permanent Select Committee on Intelligence: Subcommittee on Terrorism and Homeland Security met in executive session to hold a hearing on IC Analytical Capabilities and Information Sharing. Testimony was heard from departmental witnesses.

HOMELAND SECURITY SCIENCE AND TECHNOLOGY BUDGET

Select Committee on Homeland Security: Subcommittee on Cybersecurity, Science and Research Development held a hearing entitled "Homeland Security Science and Technology Budget Hearing for Fiscal Year 2005." Testimony was heard from Charles McQueary, Under Secretary, Science and Technology, Department of Homeland Security.

Joint Meetings

HEALTH CARE

Joint Economic Committee: Committee concluded a hearing to examine the performance and potential of consumer driven health care, focusing on new health savings account options, employee choice, and health insurance risks, after receiving testimony from Arnold Milstein, Pacific Business Group on Health, San Francisco, California, on behalf of Mercer Human Resource Consulting; John M. Bertko, Humana, Inc., Louisville, Kentucky; Howard Leach, Logan Aluminum, Inc., Russellville, Kentucky; and Gail Shearer, Consumers Union, Washington, D.C.

HOMELAND SECURITY: NEW HUMAN RESOURCES SYSTEM

Joint Hearing: Senate Committee on Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a joint hearing with the House Committee on Government Reform Subcommittee on Civil Service and Agency Reorganization to examine the new personnel system of the Department of Homeland Security, after receiving testimony from Admiral James M. Loy, Deputy Secretary of Homeland Security; Kay Coles James, Director, Office of Personnel Management; David M. Walker, Comptroller General, General Accounting Office; and John Gage, American Federation of Government Employees, Colleen M. Kelley, National Treasury Employees Union, and Mike Randall, National Association of Agriculture Employees, all of Washington, D.C.

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Thursday, February 26, 2004

Senate

Chamber Action

Routine Proceedings, pages 2610–2857

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 2130–2141, and S. Con. Res. 93–94. **Page 2684**

Measures Reported:

S. 2136, to extend the final report date and termination date of the National Commission on Terrorist At-

tacks Upon the United States, to provide additional funding for the Commission. Page 2683

Measures Passed:

Permitting the Use of the Rotunda: Senate agreed to S. Con. Res. 93, authorizing the use of the rotunda of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies. Page 2856

Establishing a Joint Congressional Committee: Senate agreed to S. Con. Res. 94, establishing the Joint Congressional Committee on Inaugural Ceremonies. Page 2856

Protection of Lawful Commerce in Arms Act: Senate agreed to the motion to proceed to consideration of S. 1805, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others, and then began consideration of the bill, taking action on the following amendments proposed thereto: Page 2611

Adopted:

Daschle Amendment No. 2621, to clarify the definition of qualified civil liability action. Page 2615

Kohl Amendment No. 2622 (to Amendment No. 2620), to amend chapter 44 of title 18, United States Code, to require the provision of a child safety lock in connection with the transfer of a handgun. Page 2619

By 70 yeas to 27 nays (Vote No. 17), Boxer Amendment No. 2620, to amend chapter 44 of title 18, United States Code, to require the provision of a child safety device in connection with the transfer of a handgun and to provide safety standards for child safety devices. Pages 2611, 2619

By 59 yeas to 37 nays (Vote No. 19), Craig (for Frist/Craig) Amendment No. 2628, to exempt any lawsuit involving a shooting victim of John Allen Muhammad or John Lee Malvo from the definition of qualified civil liability action that meets certain requirements. Page 2659

By 60 yeas to 34 nays (Vote No. 21), Craig (for Frist/Craig) Amendment No. 2630, to protect the rights of law enforcement officers who are victimized by crime to secure compensation from those who participate in the arming of criminals. Page 2667

Rejected:

By 40 yeas to 56 nays (Vote No. 20), Mikulski Amendment No. 2627, to exempt lawsuits involving a shooting victim of John Allen Muhammad or Lee Boyd Malvo from the definition of qualified civil liability action. Pages 2656, 2663

By 38 yeas to 56 nays (Vote No. 22), Corzine Amendment No. 2629, to protect the rights of law enforcement officers who are victimized by crime to secure compensation from those who participate in the arming of criminals. Pages 2664, 2671

Withdrawn:

Frist/McConnell Amendment No. 2626, to make the provisions of the Voting Rights Act of 1965 permanent. Page 2650

Pending:

Hatch (for Campbell) Amendment No. 2623, to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns. Page 2622

Kennedy Amendment No. 2619, to expand the definition of armor piercing ammunition and to require the Attorney General to promulgate standards for the uniform testing of projectiles against body armor. Page 2633

Craig (for Frist/Craig) Amendment No. 2625, to regulate the sale and possession of armor piercing ammunition. Page 2639

During consideration of this measure today, the Senate also took the following action:

By 58 yeas to 39 nays (Vote No. 18), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Cantwell Amendment No. 2617, to extend and expand the Temporary Extended Unemployment Compensation Act of 2002. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, was sustained, and the amendment thus falls. Pages 2641, 2655

A unanimous-consent agreement reached providing for further consideration of the bill at 9:30 a.m., on Friday, February 27, 2004. Page 2856

Safe Transportation Equity Act—Correction Agreement: A unanimous-consent agreement was reached providing that, in the engrossment of S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, the Secretary of the Senate be authorized to strike pages 43 through 83, and pages 105 and 106, of Amendment No. 2616; further, that the bill be printed as passed. Page 2704

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report relative to expanding the scope of the national emergency and invocation of emergency authority relating to the regulation of the anchorage and movement of vessels into Cuban territorial waters; to the Committee on Banking, Housing, and Urban Affairs. (PM–64) Page 2680

Transmitting, pursuant to law, a report relative to efforts to obtain the fullest possible accounting of captured or missing United States personnel from past military conflicts or Cold War incidents; to the Committee on Foreign Relations. (PM–65) Page 2680

Transmitting, pursuant to law, a report relative to the inclusion of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia in NATO; to the Committee on Foreign Relations. (PM–66) Page 2680

Nominations Received: Senate received the following nominations:

Theodore William Kassinger, of Maryland, to be Deputy Secretary of Commerce.

John J. Danilovich, of California, to be Ambassador to the Federative Republic of Brazil.

Michael Christian Polt, of Tennessee, to be Ambassador to Serbia and Montenegro.

Neil McPhie, of Virginia, to be Chairman of the Merit Systems Protection Board.

Edward R. McPherson, of Texas, to be Under Secretary of Education.

Mark B. McClellen, of the District of Columbia, to be Administrator of the Centers for Medicare and Medicaid Services.

Routine lists in the Air Force, Army. **Page 2856**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Susanne T. Marshall, of Virginia, to be Chairman of the Merit System Protection Board, (Beth Susan Slavet), which was sent to the Senate on January 26, 2004.

John Joseph Grossenbacher, of Illinois, to be a Member of the Nuclear Regulatory Commission for the remainder of the term expiring June 30, 2004, (vice Richard A. Meserve), which was sent to the Senate on July 25, 2003.

John Joseph Grossenbacher, of Illinois, to be a Member of the Nuclear Regulatory Commission for a term expiring June 30, 2009. (Reappointment), which was sent to the Senate on July 25, 2003. **Page 2857**

Messages From the House: **Page 2680**

Measures Referred: **Page 2681**

Measures Read First Time: **Page 2681**

Executive Communications: **Page 2681**

Executive Reports of Committees: **Page 2683**

Additional Cosponsors: **Page 2685**

Statements on Introduced Bills/Resolutions: **Page 2686**

Additional Statements: **Page 2678**

Amendments Submitted: **Page 2697**

Notices of Hearings/Meetings: **Page 2703**

Authority for Committees to Meet: **Page 2703**

Privilege of the Floor: **Page 2704**

Text of S. 1072, as Previously Passed: **Page 2705**

Record Votes: Six record votes were taken today. (Total–22) **Pags 2622, 2655, 2663, 2664, 2671**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:55 p.m., until 9:30 a.m., on Friday, February 27, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 2856.)

Committee Meetings

APPROPRIATIONS: EMERGENCY PREPAREDNESS AND RESPONSE

Committee on Appropriations: Subcommittee on Homeland Security concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of Homeland Security, focusing on emergency preparedness and response, after receiving testimony from Michael D. Brown, Under Secretary of Homeland Security for Emergency Preparedness and Response.

APPROPRIATIONS: NATIONAL SCIENCE FOUNDATION/OFFICE OF SCIENCE AND TECHNOLOGY POLICY

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the National Science Foundation and the Office of Science and Technology Policy, after receiving testimony from Arden L. Bement, Jr., Acting Director, National Science Foundation; Warren M. Washington, Chair, National Science Board; and John H. Marburger III, Director, Office of Science and Technology Policy.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nomination of Kiron Kanina Skinner, of Pennsylvania, to be a Member of the National Security Education Board, and 2,235 nominations in the Army, Marine Corps and Air Force.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Alphonso R. Jackson, of Texas, to be Secretary of Housing and Urban Development, who was introduced by Senators Bond, Hutchison, and Cornyn, Linda Mysliwy Conlin, of New Jersey, to be a Member of the Board of Directors of the Export-Import Bank of the United States, and Rhonda Keenum, of Mississippi, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Services, who was introduced by Senator Cochran and Representative Wicker, after each nominee testified and answered questions in their own behalf.

MUTUAL FUND INDUSTRY

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine current investigations and regulatory actions regarding the mutual fund industry, focusing on fund operations and governance, focusing on corporate governance reforms, a proposed mutual fund oversight board, the practices of late trading and market timing, and prospectus disclosures, after receiving testimony from David S. Ruder, Northwestern University School of Law, former Chairman, Securities

and Exchange Commission, and Mellody Hobson, Ariel Capital Management, both of Chicago, Illinois; David S. Pottruck, Charles Schwab Corporation, San Francisco, California; and John C. Bogle, Vanguard Group, Valley Forge, Pennsylvania.

INTERNATIONAL AFFAIRS BUDGET

Committee on the Budget: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2005 for international affairs of the Department of State, after receiving testimony from Colin L. Powell, Secretary of State.

NOMINATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nomination of Susan Johnson Grant, of Virginia, to be Chief Financial Officer, Department of Energy, after the nominee testified and answered questions in her own behalf.

PUBLIC DIPLOMACY: INTERNATIONAL FREE PRESS

Committee on Foreign Relations: Committee concluded a hearing to examine American public diplomacy and the development of an independent media in emerging democracies, and a related measure S. 2096, to promote a free press and open media through the National Endowment for Democracy funding for the National Endowment for Democracy (NED), after receiving testimony from Margaret DeB. Tutwiler, Under Secretary of State for Public Diplomacy and Public Affairs; Gene P. Mater, Freedom Forum, Arlington, Virginia; Adam Clayton Powell III, University of Southern California Center on Public Diplomacy, Los Angeles, California; and Kurt A. Wimmer, Covington and Burling, Washington, D.C.

U.S.-LIBYA RELATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine next steps in U.S. relations regarding Libya, focusing on Administration efforts to halt state-sponsored support for international terrorism and proliferation of weapons of mass destruction, after receiving testimony from William J. Burns, Assistant Secretary of State for Near Eastern Affairs; and Paula A. DeSutter, Assistant Secretary of State for Verification and Compliance.

HIGHER EDUCATION ACCREDITATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the quality and accountability of higher education accreditation standards, after receiving testimony from Steven D. Crow, Higher Learning Commission, North Central Association of Colleges and Schools, Chicago, Illinois; Jeffrey D. Wallin, American Academy for Liberal Education, and Jerry L. Martin, American Council of Trustees and Alumni, both of Washington, D.C.; and Robert L. Potts, University of North Alabama, Florence.

BUSINESS MEETING

Committee on the Judiciary: Committee met to discuss certain committee business, made no announcements, and recessed subject to the call.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 21 public bills, H.R. 3845–3865; and 12 resolutions, H. Con. Res. 371–375, and H. Res. 538, 540–545 were introduced. **Page 2606**

Additional Cosponsors: **Page 2608**

Reports Filed: No reports were filed today.

Unborn Victims of Violence Act: The House passed H.R. 1997, to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, by a yea-and-nay vote of 254 yeas to 163 nays, Roll No. 31. **Page 2543**

Rejected:

Lofgren amendment in the nature of a substitute that sought to make it a federal crime to assault a pregnant woman and establish penalties for causing a prenatal injury or termination of the pregnancy, in addition to the penalties imposed for the assault to the mother (rejected by a yea-and-nay vote of 186 yeas to 229 nays. Roll No. 30). **Page 2567**

H. Res. 529, the rule providing for consideration of the bill was agreed to on Wednesday, February 25.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at noon on Monday, March 1, 2004; and further that when it adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, March 2 for morning hour debate. **Page 2576**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, March 3. **Page 2576**

Committee Chairman Resignation: Read a letter from Representative Tauzin wherein he resigned as Chairman of the Committee on Energy and Commerce. **Page 2577**

Committee Chairman Election: The House agreed to H. Res. 539, electing Representative Barton as the Chairman of the Committee on Energy and Commerce. **Page 2577**

Committee Resignation: Read a letter from Representative Barton wherein he resigned from the Committee on Science. Page 2577

Recess: The House recessed at 5:20 p.m. and reconvened at 8:05 p.m. Page 2595

Surface Transportation Extension Act of 2003: The House passed H.R. 3850, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century. Page 2595

The bill was considered by unanimous consent after being discharged from the Committee on Transportation and Infrastructure by unanimous consent. Page 2595

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Wolf to sign enrolled bills and joint resolutions through March 1. Page 2600

Presidential Messages: Read a message from the President wherein he certified that the governments of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia are cooperating fully with United States efforts to obtain the fullest possible accounting of captured or missing U.S. personnel from past military conflicts or Cold War incidents—referred to the Committee on International Relations and ordered printed (H. Doc. 108–164). Page 2577

Read a message from the President wherein he notified Congress of the continuation and expansion of the national emergency with respect to Cuba—referred to the Committee on International Relations and ordered printed (H. Doc. 108–165). Page 2577

Senate Message: Message received from the Senate today appears on page 2541.

Senate Referral: S. Con. Res. 92 was referred to the Committee on Government Reform. Page 2600

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings today and appear on pages 2574–75. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:10 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies held a hearing on Natural Resources and Environment. Testimony was heard from the following officials of the USDA: Mark E. Rey, Under Secretary, Natural Resources and Environment; Bruce I. Knight, Chief, Natural Resources Conservation Service; Wade Daniel Runnels, Director, Budget Planning and Analysis Division, Natural Resources Conservation; and Stephen B. Dewhurst, Budget Officer.

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies began fiscal year 2005 appropriation hearings. Testimony was heard from Donald L. Evans, Secretary of Commerce.

INTERIOR AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior and Related Agencies continued appropriation hearings. Testimony was heard from Spencer Abraham, Secretary of Energy.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Worker Protection Agencies. Testimony was heard from the following officials of the Department of Labor: Arnold Levine, Deputy Under Secretary, International Labor Affairs; Ann Combs, Assistant Secretary, Employee Benefits Security Administration; Victoria Lipnic, Assistant Secretary, Employment Standards Administration; David Lauriski, Assistant Secretary, Mine Safety and Health Administration; and John Henshaw, Assistant Secretary, OSHA.

TRANSPORTATION, TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury and Independent Agencies held a hearing on the U.S. Postal Service. Testimony was heard from John E. Potter, Postmaster General and CEO, U.S. Postal Service.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—AIR FORCE

Committee on Armed Services: Held a hearing on the Fiscal Year 2005 National Defense Authorization budget request for the Department of the Air Force. Testimony was heard from the following officials of the Department of the Air Force: James G. Roche, Secretary; and Gen. John P. Jumper, USAF, Chief of Staff.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST

Committee on Armed Services: Subcommittee on Readiness held a hearing on the Fiscal Year 2005 National Defense Authorization budget request—Military Construction Budget Request for the Programs of the Office of the Secretary of Defense, the Defense Agencies, and the Reserve Components of the Department of the Air Force. Testimony was heard from the following officials of the Department of Defense: Raymond F. DuBois, Jr., Deputy

Under Secretary, Installations and Environment; Nelson F. Gibbs, Assistant Secretary, Air Force, Installations, Environment, and Logistics; Maj. Gen. Dean Fox, USAF, The Air Force Civil Engineer; Brig. Gen. David A. Brubaker, USAF, Deputy Director, Air National Guard; and Brig. Gen. William A. Rajczak, USAF, Deputy to the Chief, Air Force Reserve.

DOD TRANSFORMATION

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the Department of Defense Transformation. Testimony was heard from the following officials of the Department of Defense: Vice Adm. Arthur K. Cebrowski, USN (ret.), Director, Office of Force Transformation, Office of the Secretary; Maj. Gen. John M. Curran, USA, Director, Futures Center, U.S. Army Training and Doctrine Command; Rear Adm. Kevin J. Cosgriff, USN, Director, Warfare Integration (OPNAV N7F); Lt. Gen. Duncan J. McNabb, USAF, Deputy Chief of Staff, Plans and Programs (AF/XP); Lt. Gen. Edward Hanlon, USMC, Deputy Commandant, Combat Development, Commanding General, Marine Corps Combat Development Command; and Lt. Gen. Robert W. Wagner, USA, Deputy Commander, U.S. Joint Forces Command.

DEPARTMENT OF HEALTH AND HUMAN SERVICES BUDGET PRIORITIES

Committee on the Budget: Held a hearing on the Department of Health and Human Services Budget Priorities Fiscal Year 2005. Testimony was heard from Tommy G. Thompson, Secretary of Health and Human Services; and a public witness.

BROADCAST DECENCY ENFORCEMENT ACT

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet continued hearings on H.R. 3717, Broadcast Decency Enforcement Act of 2004. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES; BUDGET VIEWS AND ESTIMATES

Committee on Government Reform: Ordered reported the following measures: H.R. 3733, to designate the facility of the United States Postal Service located at 410 Huston Street in Altamont, Kansas, as the "Myron C. George Post Office"; H.R. 3797, 2004 District of Columbia Omnibus Authorization Act; H.J. Res. 87, Honoring the life and legacy of President Franklin Delano Roosevelt and recognizing his contributions on the anniversary of the date of his birth; H. Con. Res. 328, Recognizing and honoring the United States Armed Forces and supporting the designation of a National Military Appreciation Month; H. Res. 433, Honoring the life and legacy of Luis A. Ferre; and H. Res. 475, Congratulating the San Jose Earthquakes for winning the 2003 Major League Soccer Cup.

The Committee also approved Committee's Budget Views and Estimates for Fiscal Year 2005 for submission to the Committee on the Budget.

CENTRALIZED GOVERNMENT TELECOM PLAN

Committee on Government Reform: Held a hearing entitled "Will 'Network' Work? A Review of Whether a Centralized Government Telecom Plan Jibes with an Ever-Evolving Market." Testimony was heard from the following officials of the GSA: Stephen Perry, Administrator; and Sandra Bates, Commissioner, Federal Technology Service; Linda Koontz, Director, Information Management Issues, GAO; Drew Ladner, Chief Information Officer, Department of the Treasury; Melvin J. Bryson, Director, Information Technology, Administrative Office of the U.S. Courts; and public witnesses.

AFGHANISTAN—EFFORTS TO STEM FLOW OF HEROIN

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Afghanistan: Law Enforcement Interdiction Efforts in Transshipment Countries to Stem the Flow of Heroin." Testimony was heard from Robert Charles, Assistant Secretary, International Narcotics and Law Enforcement Affairs, Department of State; and Karen Tandy, Administrator, DEA, Department of Justice.

U.S. FOREIGN ASSISTANCE AFTER SEPTEMBER 11TH

Committee on International Relations: Held a hearing on U.S. Foreign Assistance After September 11th: Major Changes, Competing Purposes and Different Standards—Is There an Overall Strategy? Testimony was heard from public witnesses.

HARMFUL ALGAL BLOOM AND HYPOXIA RESEARCH AND AMENDMENTS ACT

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held a hearing on H.R. 1856, Harmful Algal Bloom and Hypoxia Research and Amendments Act of 2003. Testimony was heard from Representatives Ehlers; Richard W. Spinrad, Assistant Administrator, National Ocean Service, NOAA, Department of Commerce; and public witnesses.

OVERSIGHT—BUDGET FOR NATIONAL PARK SERVICE AND BUREAU OF LAND MANAGEMENT

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held an oversight hearing to examine the Fiscal Year 2005 Budget for the National Park Service and Bureau of Land Management and Ongoing Efforts to Reduce Maintenance Backlogs. Testimony was heard from the following officials of the Department of the Interior: Fran Mainella, Director, National Park Service; and Kathleen Clarke, Director, Bureau of Land Management.

"UNION SALTING OF SMALL BUSINESS WORKSITES"

Committee on Small Business: Subcommittee on Workforce, Empowerment and Government Programs held a hearing entitled "Union Salting of Small Business Worksites." Testimony was heard from Representative DeMint; and public witnesses.

AGENCY BUDGETS AND PRIORITIES

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing on Agency Budgets and Priorities for Fiscal Year 2005. Testimony was heard from the following officials of the Department of the Army: John Paul Woodley, Jr., Assistant Secretary (Civil Works); and LTG. Robert B. Flowers, USA, Chief of Engineers, Corps of Engineers; the following officials of the EPA: Marianne Lamont Horinko, Assistant Administrator, Solid Waste and Emergency Response; and Benjamin H. Grumbles, Acting Assistant Administrator, Water; Glenn L. McCullough, Jr., Chairman TVA; Arturo Q. Duran, Commissioner, International Boundary and Water Commission; Albert S. Jacquez, Administrator, Saint Lawrence Seaway Development Corporation; Thomas A. Weber, Associate Chief, Natural Resources Conservation Service, USDA; and Richard Spinrad, Assistant Administrator, National Ocean Service, NOAA, Department of Commerce.

SOCIAL SECURITY DELIVERY PLAN FOR 2005

Committee on Ways and Means: Subcommittee on Social Security held a hearing on the Social Security Service Delivery Plan for 2005. Testimony was heard from Joanne B. Barnhart, Commissioner, SSA.

BRIEFING—GLOBAL INTELLIGENCE UPDATE

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy and National Security met in executive session to receive a briefing on Global Intelligence Update. The Subcommittee was briefed by departmental witnesses.

IC LANGUAGE CAPABILITIES

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy and National Security met in executive session to hold a hearing on IC Language Capabilities. Testimony was heard from departmental witnesses.

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Friday, February 27, 2004

Senate

Chamber Action

Routine Proceedings, pages 2883–2930

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 2142–2146, and S. Res. 306. **Page 2922**

Measures Passed:

9/11 Commission Extension: Senate passed S. 2136, to extend the final report date and termination date of the National Commission on Terrorist Attacks Upon the United States, to provide additional funding for the Commission. **Page 2886**

Surface Transportation Extension Act: Senate passed H.R. 3850, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, clearing the measure for the President. **Page 2915**

Protection of Lawful Commerce In Arms Act: Senate continued consideration of S. 1805, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others, taking action on the following amendments proposed thereto: **Page 2890**

Pending:

Hatch (for Campbell) Amendment No. 2623, to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns. **Page 2890**

Kennedy Amendment No. 2619, to expand the definition of armor piercing ammunition and to require the Attorney General to promulgate standards for the uniform testing of projectiles against body armor. **Page 2890**

Craig (for Frist/Craig) Amendment No. 2625, to regulate the sale and possession of armor piercing ammunition. **Page 2890**

Levin Amendment No. 2631, to exempt any civil action against a person from the provisions of the bill if the gross negligence or reckless conduct of the person proximately caused death or injury. **Pages 2894, 2897**

Warner Amendment No. 2624, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system. **Page 2895**

Lautenberg Amendment No. 2632, to require that certain notifications occur whenever a query to the National Instant Criminal Background Check System reveals that a person listed in the Violent Gang and Terrorist Organization File is attempting to purchase a firearm. **Page 2902**

Lautenberg Amendment No. 2633, to exempt lawsuits involving injuries to children from the definition of qualified civil liability action. **Page 2903**

A unanimous-consent agreement reached providing for further consideration of the bill at 12 noon, on Monday, March 1, 2004, with four hours for debate; further, at 4

p.m., Senator Bingaman will be recognized to offer an amendment, with a vote to occur thereon at 5 p.m.

Page 2929

International Fisheries Reauthorization Act—Referral Agreement: A unanimous-consent agreement reached providing that the Committee on Energy and Natural Resources be discharged from further consideration of H.R. 2584, to provide for the conveyance to the Utrok Atoll local government of a decommissioned National Oceanic and Atmospheric Administration ship, and the bill then be referred to the Committee on Commerce, Science, and Transportation. Page 2929

Nominations Confirmed: Senate confirmed the following nominations:

1 Marine Corps nomination in the rank of general.

Routine lists in the Air Force, Army, Marine Corps.

Page 2929

Measures Referred: Page 2922

Measures Placed on Calendar: Page 2922

Additional Cosponsors: Page 2922

Statements on Introduced Bills/Resolutions: Page 2923

Additional Statements: Page 2921

Amendments Submitted: Page 2927

Text of S. 1072, as Previously Passed: (See Record of February 26, 2004) Page 2705

Adjournment: Senate convened at 9:32 a.m., and adjourned at 4:41 p.m., until 12 noon, on Monday, March 1, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 2929.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will meet on Monday, March 1, in pro forma session.

Committee Meetings

No committee meetings were held.

Monday, March 1, 2004

Senate

Chamber Action

Routine Proceedings, pages 2936–81

Measures Introduced: Five bills were introduced, as follows: S. 2147–2151. Page 2969

Measures Passed:

Read Across America Day: Committee on the Judiciary was discharged from further consideration of S. Res. 306, designating March 2, 2004, as "Read Across America Day", and the resolution was then agreed to.

Page 2972

Protection of Lawful Commerce In Arms Act: Senate resumed consideration of S. 1805, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others, taking action on the following amendments proposed thereto: Page 2936

Rejected:

By 28 yeas to 59 nays (Vote No. 23), Bingaman/Corzine Amendment No. 2635, to modify the definition of reasonably foreseeable. Page 2957

Pending:

Hatch (for Campbell) Amendment No. 2623, to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns. Page 2936

Kennedy Amendment No. 2619, to expand the definition of armor piercing ammunition and to require the Attorney General to promulgate standards for the uniform testing of projectiles against body armor. Page 2936

Craig (for Frist/Craig) Amendment No. 2625, to regulate the sale and possession of armor piercing ammunition. Page 2936

Levin Amendment No. 2631, to exempt any civil action against a person from the provisions of the bill if the gross negligence or reckless conduct of the person proximately caused death or injury. Page 2936

Warner Amendment No. 2624, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system. Page 2936

Lautenberg Amendment No. 2632, to require that certain notifications occur whenever a query to the National Instant Criminal Background Check System reveals that a person listed in the Violent Gang and Terrorist Organization File is attempting to purchase a firearm.

Page 2936

Lautenberg Amendment No. 2633, to exempt lawsuits involving injuries to children from the definition of qualified civil liability action. Page 2936

A unanimous-consent-time agreement was reached providing that on Tuesday, March 2, 2004, the time from 9:30 a.m. to 11:15 a.m. be equally divided between the two leaders or their designees; that the time from 11:15 until 11:25 a.m. be under the control of the Democratic Leader or his designee; and further, that the time from 11:25 a.m. until 11:35 a.m. be under the control of the Majority Leader or his designee. Page 2973

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Tuesday, March 2, 2004, with certain amendments to be proposed thereto, and votes to occur on certain pending amendments, beginning at 11:35 a.m., followed by a vote on final passage of the bill. Page 2973

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the 2004 National Drug Control Strategy; to the Committee on the Judiciary. (PM–67) Page 2966

Appointments:

Harry S Truman Scholarship Foundation Board of Trustees: The Chair, on behalf of the Vice President, pursuant to Public Law 93–642, appointed Senator Baucus to be a member of the Harry S Truman Scholarship Foundation Board of Trustees, vice Senator Murray. Page 2972

Nominations Received: Senate received the following nominations:

Ann R. Klee, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency.

Routine lists in the Air Force, Army. Page 2981

Messages From the House: Page 2967

Executive Communications: Page 2967

Additional Cosponsors: Page 2969

Statements on Introduced Bills/Resolutions: Page 2971

Additional Statements: Page 2966

Amendments Submitted: Page 2972

Notices of Hearings/Meetings: Page 2972

Authority for Committees to Meet: Page 2972

Privilege of the Floor: Page 2972

Record Votes: One record vote was taken today. (Total—23) Page 2963

Adjournment: Senate convened at 12 noon, and adjourned at 7:21 p.m., until 9:30 a.m., on Tuesday, March 2, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 2973.)

Committee Meetings

APPROPRIATIONS: DEPARTMENT OF DEFENSE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of Defense, after receiving testimony from Dov Zakheim, Under Secretary of Defense, Comptroller; and Lieutenant General James E. Cartwright, Director of Force Structure, Resources and Assessment (J8), The Joint Staff.

THRIFT SAVINGS PLAN

Committee on Governmental Affairs: Subcommittee on Financial Management, the Budget, and International Security concluded an oversight hearing to examine the integrity of federal employee retirement savings relating to the thrift savings plan, after receiving testimony from Alan D. Lebowitz, Deputy Assistant Secretary of Labor for Program Operations, Employee Benefits Security Administration; Andrew M. Saul, Chairman, and Gary A. Amelio, Executive Director, both of the Federal Retirement Thrift Investment Board; James M. Sauber, Chairman, Employee Thrift Advisory Council; and Blake R. Grossman, Barclays Global Investors, San Francisco, California.

House of Representatives

Chamber Action

Measures Introduced: 2 public bills, H.R. 3866 and 3867, were introduced. Page 2934

Additional Cosponsors: Page 2935

Reports Filed: Reports were filed today as follows:

Filed on February 27, H. Res. 499, requesting the President and directing the Secretary of State, the Secretary of Defense, and the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the President and those officials relating to the disclosure of the identity and employment of Ms. Valerie Plame, amended (H. Rept. 108–413, Pt. 2);

Filed on February 27, H. Res. 499, requesting the President and directing the Secretary of State, the Secretary of Defense, and the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the President and those officials relating to the disclosure of the identity and employment of Ms. Valerie Plame, amended (H. Rept. 108–413, Pt. 3);

Filed on February 27, H. Res. 499, requesting the President and directing the Secretary of State, the Secretary of Defense, and the Attorney General to transmit

to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the President and those officials relating to the disclosure of the identity and employment of Ms. Valerie Plame, amended (H. Rept. 108–413, Pt. 4); and

H.R. 3752, to promote the development of the emerging commercial human space flight industry, to extend the liability indemnification regime for the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation (H. Rept. 108–429).

Page 2934

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Thornberry to act as Speaker pro tempore for today. Page 2931

Late Report—Committee on Science: Agreed that the Committee on Science have until midnight on March 1 to file a report on H.R. 3752, to promote the development of the emerging commercial human space flight industry, to extend the liability indemnification regime for the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation. Page 2933

Senate Message: Message received from the Senate today appears on page 2931.

Senate Referral: S. Con. Res. 94 was held at the desk.

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 12 noon and adjourned at 12:05 p.m.

Committee Meetings

No committee meetings were held.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED EIGHTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 20 through February 29, 2004

	Senate	*House*	*Total*
Days in session	22	14	..
Time in session	150 hrs., 2′	70 hrs., 49′	..
Congressional Record:			
Pages of proceedings	1899	701	..
Extensions of Remarks	..	262	..
Public bills enacted into law	1	3	4
Private bills enacted into law	..	..	..
Bills in conference	..	8	..
Measures passed, total	32	50	82
Senate bills	5	4	..
House bills	2	11	..
Senate joint resolutions	..	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	3	..	..
House concurrent resolutions	8	9	..
Simple resolutions	14	25	..
Measures reported, total	*6	*22	28
Senate bills	6	..	..
House bills	..	12	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	..	..	..
House concurrent resolutions	..	1	..
Simple resolutions	..	9	..
Special reports	..	1	..
Conference reports	..	..	..
Measures pending on calendar	159	90	..
Measures introduced, total	175	257	432
Bills	142	165	..
Joint resolutions	2	5	..
Concurrent resolutions	8	27	..
Simple resolutions	23	60	..
Quorum calls	..	1	..
Yea-and-nay votes	22	23	..
Recorded votes	..	27	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 7 reports have been filed in the Senate, a total of 23 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 20 through February 29, 2004

Civilian nominations, totaling 264, (including 195 nominations carried over from the First Session), disposed of as follows:	
Confirmed	24
Unconfirmed	234
Withdrawn	5
Returned to White House	1
Other Civilian nominations, totaling 783 (including 5 nominations carried over from the First Session), disposed of as follows:	
Unconfirmed	783
Air Force nominations, totaling 5,194 (including 3,572 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,594
Unconfirmed	600
Army nominations, totaling 1,333 (including 594 nominations carried over from the First Session), disposed of as follows:	
Confirmed	297
Unconfirmed	1,036
Navy nominations, totaling 2,515 (including 2,444 nominations carried over from the First Session), disposed of as follows:	
Confirmed	2,485
Unconfirmed	30
Marine Corps nominations, totaling 1,155 (including 2 nominations carried over from the First Session), disposed of as follows:	
Confirmed	60
Unconfirmed	1,095

Summary

Total nominations carried over from the First Session	6,812
Total Nominations Received this Session:	4,432
Total confirmed	7,460
Total unconfirmed	3,778
Total withdrawn	5
Total Returned to the White House	1

Tuesday, March 2, 2004

Senate

Chamber Action

Routine Proceedings, pages 2987–3061

Measures Introduced: Seven bills and one resolution were introduced, as follows: S. 2152–2158, and S. Res. 307. **Page 3041**

Measure Rejected:

Protection of Lawful Commerce in Arms Act: By 8 yeas to 90 nays (Vote No. 30), Senate rejected S. 1805, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others, after taking action on the following amendments proposed thereto: **Pages 2987, 3013**

Adopted:

By 52 yeas to 47 nays (Vote No. 24), Feinstein Amendment No. 2637, to provide for a 10-year extension of the assault weapons ban. **Pages 2991, 3011**

By 53 yeas to 46 nays (Vote No. 25), McCain Amendment No. 2636, to require criminal background checks on all firearms transactions occurring at events that provide a venue for the sale, offer for sale, transfer, or exchange of firearms. **Pages 2988, 2999, 3011**

By 91 yeas to 8 nays (Vote No. 26), Hatch (for Campbell) Amendment No. 2623, to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns. **Pages 2988, 3012**

By 85 yeas to 12 nays (Vote No. 27), Craig (for Frist/Craig) Amendment No. 2625, to regulate the sale and possession of armor piercing ammunition. **Pages 2988, 3013**

Rejected:

By 34 yeas to 63 nays (Vote No. 28), Kennedy Amendment No. 2619, to expand the definition of armor piercing ammunition and to require the Attorney General to promulgate standards for the uniform testing of projectiles against body armor. **Pages 2988, 3015**

Levin Amendment No. 2631, to exempt any civil action against a person from the provisions of the bill if the gross negligence or reckless conduct of the person proximately caused death or injury. (By 56 yeas to 41 nays (Vote No. 29), Senate tabled the amendment.) **Pages 2988, 3015**

Withdrawn:

Warner Amendment No. 2624, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system. **Page 2987**

Lautenberg Amendment No. 2632, to require that certain notifications occur whenever a query to the National Instant Criminal Background Check System reveals that a person listed in the Violent Gang and Terrorist Organization File is attempting to purchase a firearm. **Page 2987**

Lautenberg Amendment No. 2633, to exempt lawsuits involving injuries to children from the definition of qualified civil liability action. **Page 2987**

Jumpstart Our Business Strength (JOBS) Act—Agreement: A unanimous-consent agreement was reached providing for the consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, at 10:30 a.m., on Wednesday, March 3, 2004. **Page 3013**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to modifying duty-free treatment under the Generalized System of Preferences; to the Committee on Finance. (PM–68) **Page 3041**

Appointments:

Abraham Lincoln Study Abroad Fellowship Program: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108–199, Section 104 (c), 1(A), appointed the following individual to serve as a member of the Abraham Lincoln Study Abroad Fellowship Program: Dr. Stevan Trooboff of Portland, Maine. **Page 3051**

Nominations Received: Senate received the following nomination:

Deborah Hersman, of Virginia, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2008. **Page 3061**

Additional Cosponsors: **Page 3041**

Statements on Introduced Bills/Resolutions: **Page 3043**

Additional Statements: **Page 3038**

Amendments Submitted: **Page 3048**

Notices of Hearings/Meetings: **Page 3050**

Authority for Committees to Meet: **Page 3051**

Record Votes: Seven record votes were taken today. (Total—30) **Pages 3011, 3012, 3013, 3014, 3015, 3016, 3017**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:52 p.m., until 9:30 a.m., on Wednesday, March 3, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 3052.)

Committee Meetings

APPROPRIATIONS: DEPARTMENT OF COMMERCE

Committee on Appropriations: Subcommittee on Commerce, Justice, State and the Judiciary concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of Commerce, after receiving testimony from Donald L. Evans, Secretary of Commerce.

APPROPRIATIONS: SCIENCE AND TECHNOLOGY

Committee on Appropriations: Subcommittee on Homeland Security concluded a hearing to examine proposed budget estimates for fiscal year 2005 for science and technology, and information analysis and infrastructure protection, after receiving testimony from Charles E. McQueary, Under Secretary for Science and Technology, and Frank Libutti, Under Secretary for Information Analysis and Infrastructure Protection, both of the Department of Homeland Security.

DEPARTMENT OF DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded a hearing to examine the proposed Department of Defense authorization request for fiscal year 2005 and the Future Years Defense Program, after receiving testimony from Les Brownlee, Acting Secretary of the Army; Gordon R. England, Secretary of the Navy; and James G. Roche, Secretary of the Air Force.

DEPARTMENT OF DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine active component, Reserve component and civilian personnel programs, in review of the defense authorization request for fiscal year 2005, after receiving testimony from David S.C. Chu, Under Secretary of Defense for Personnel and Readiness; Reginald J. Brown, Assistant Secretary of the Army for Manpower and Reserve Affairs; William A. Navas, Jr., Assistant Secretary of the Navy for Manpower and Reserve Affairs; Michael L. Dominguez, Assistant Secretary of the Air Force for Manpower and Reserve Affairs; Lieutenant General Franklin L. Hagenbeck, USA, Deputy Chief of Staff, G–1, United States Army; Vice Admiral Gerald L. Hoewing, USN, Chief of Naval Personnel, Deputy Chief of Naval Operations, Manpower and Personnel, United States Navy; Lieutenant General Garry L. Parks, USMC, Deputy Commandant for Manpower and Reserve Affairs, United States Marine Corps; and Lieutenant General Richard E. Brown, USAF, Deputy Chief of Staff for Personnel, United States Air Force.

MUTUAL FUNDS

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings to examine current investigations and regulatory actions regarding the mutual fund industry, focusing on fund operations and governance, after receiving testimony from former Senator William L. Armstrong, Oppenheimer Funds, Denver, Colorado; Vanessa C.L. Chang, New Perspective Fund, Los Angeles, California; Marvin L. Mann, Fidelity Funds, Cary, North Carolina; Michael S. Miller, Vanguard Group, Inc., Valley Forge, Pennsylvania; Ann E. Bergin, National Securities Clearing Corporation, New York, New York; William A. Bridy, Financial Data Services, Inc./Merrill Lynch, Jacksonville, Florida, on behalf of the Securities Industry Association; Raymond K. McCulloch, BB&T Trust, Raleigh, North Carolina, on behalf of the American Bankers Association; and David L. Wray, Profit Sharing/401K Council of America, Washington, D.C.

CHILDHOOD OBESITY

Committee on Commerce, Science, and Transportation: Subcommittee on Competition, Foreign Commerce and Infrastructure concluded a hearing to examine the rise of obesity among children, focusing on health risks including diabetes, the role of the media, and efforts to educate families on the issues of nutrition and healthy lifestyles, after receiving testimony from Richard H. Carmona, Surgeon General, Public Health Service, Office of Public Health and Science, and William Dietz, Director, Division of Nutrition and Physical Activity, National Center for Chronic Disease Prevention and Health Promotion, Centers for Disease Control and Prevention, both of the Department of Health and Human Services; Victoria J. Rideout, Henry J. Kaiser Family Foundation, Menlo Park, California; R. Lee Culpepper, National Restaurant Association, Margo G. Wooten, Center for Science in the Public Interest, and C. Manly Molpus, Grocery Manufacturers of America, all of Washington, D.C.; and Robert D. Liodice, Association of National Advertisers, Inc., New York, New York.

FOREST SERVICE BUDGET

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the President's proposed fiscal year 2005 budget for the Forest Service, focusing on protecting communities and natural resources in relation to the implementation of the Healthy Forests Restoration Act (P.L. 108–148), after receiving testimony from Mark Rey, Under Secretary of Agriculture for Natural Resources and Environment; and Dale N. Bosworth, Chief, Forest Service, Department of Agriculture.

FOREIGN ASSISTANCE

Committee on Foreign Relations: Committee concluded oversight hearings to examine certain U.S. foreign policy objectives and assistance programs throughout the world, after receiving testimony from Christina B. Rocca, Assistant Secretary of State for South Asian Affairs; William J. Burns, Assistant Secretary of State for Near Eastern Affairs; Donald W. Keyser, Principal Deputy Assistant Secretary of State for East Asian and Pacific Affairs; Roger

F. Noriega, Assistant Secretary of State for Western Hemisphere Affairs; Donald Y. Yamamoto, Deputy Assistant Secretary of State for African Affairs; Elizabeth Jones, Assistant Secretary of State for Europe and Eurasian Affairs; and Gordon West, Acting Assistant Administrator for Asia and the Near East, Adolfo A. Franco, Assistant Administrator for Latin America and the Caribbean, Constance Berry Newman, Assistant Administrator for Africa, and Kent R. Hill Assistant Administrator for Europe and Eurasia, all of the United States Agency for International Development.

NORTH KOREA

Committee on Foreign Relations: Committee concluded a hearing to examine North Korea's nuclear situation, including the Six-Party Talks in Beijing, an appropriate verification model related to North Korea's nuclear program, and the economic situation and human rights conditions in North Korea, after receiving testimony from James Kelly, Assistant Secretary of State; Terence Taylor, International Institute for Strategic Studies, Victor D. Cha, Georgetown University School of Foreign Service, and Tom Malinowski, Human Rights Watch, all of Washington, D.C.

SUICIDE PREVENTION AND YOUTH

Committee on Health, Education, Labor, and Pensions: Subcommittee on Substance Abuse and Mental Health Services concluded a hearing to examine certain measures to help prevent suicide among children and adolescents, after receiving testimony from Senator Smith; Paul D. Tunkle, Episcopal Church of the Redeemer, Baltimore, Maryland; Cheryl A. King, University of Michigan, Ann Arbor; Fran M. Gatlin, Robinson High School, Fairfax, Virginia, on behalf of the National Association of School Psychologists; Joelle M. Reizes, Screening for Mental Health, Inc., Loveland, Ohio; and Laurie Flynn, Columbia University Carmel Hill Center for Early Diagnosis and Treatment, New York, New York.

CARES COMMISSION

Committee on Veterans' Affairs: Committee concluded a hearing to examine the final report of the Department of Veterans Affairs' Capital Asset Realignment for Enhanced Services (CARES) Commission, after receiving testimony from Everett Alvarez, Jr., Chairman, Capital Asset Realignment for Enhanced Services (CARES) Commission; Robert H. Roswell, Under Secretary of Veterans Affairs for Health; Cathleen C. Wiblemo, American Legion, Dennis M. Cullinan, Veterans of Foreign Wars, Joy J. Ilem, Disabled American Veterans, and Fred Cowell, Paralyzed Veterans of America, all of Washington, D.C.; and James W. Doran, AMVETS, Lanham, Maryland.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 3868–3878; and 4 resolutions, H. Con. Res. 376–377 and H. Res. 548–549, were introduced. **Page 3106**

Additional Cosponsors: **Page 3106**

Reports Filed: Reports were filed today as follows:

H. Res. 546, providing for consideration of H.R. 3752, to promote the development of the emerging commercial human space flight industry, to extend the liability indemnification regime for the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation (H. Rept. 108–430); and

H. Res. 547, providing for consideration of H.R. 1561, to amend title 35, United States Code, with respect to patent fees (H. Rept. 108–431). **Page 3105**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker Pro Tempore for today. **Page 3062**

Recess: The House recessed at 12:58 p.m. and reconvened at 2 p.m. **Page 3065**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Honoring the life and career of the late Willie Shoemaker: H. Res. 439, honoring the life and career of Willie Shoemaker and expressing the condolences of the House of Representatives to his family and friends on his death; **Page 3067**

Ben Atchley Post Office Building Designation Act: H.R. 3769, to designate the facility of the United States Postal Service located at 137 East Young High Pike in Knoxville, Tennessee, as the "Ben Atchley Post Office Building", by a ⅔ yea-and-nay vote of 383 yeas with none voting "nay", Roll No. 32; and **Pages 3068, 3080**

Expressing the sympathy of the House of Representatives for the victims of the devastating earthquake that occurred on December 26, 2003 in Bam, Iran: H. Res. 526, expressing the sympathy of the House of Representatives for the victims of the devastating earthquake that occurred on December 26, 2003, in Bam, Iran, by a yea-and-nay vote of 381 yeas with none voting "nay", Roll No. 33. **Pages 3077, 3080**

Suspension—Proceedings Postponed: The House completed debate on the motion to suspend the rules and agree to H. Res. 530, amended, urging the appropriate representative of the United States to the 60th session of the United Nations Commission on Human Rights to introduce a resolution calling upon the Government of the People's Republic of China to end its human rights viola-

tions in China. Further proceedings on the motion were postponed until Thursday, March 3. Page 3069

Recess: The House recessed at 3:20 p.m. and reconvened at 6:30 p.m. Page 3079

Presidential Messages: Read a letter from the President wherein he transmitted the 2004 National Drug Control Strategy—referred to the Committees on the Judiciary, Agriculture, Armed Services, Energy and Commerce, Education and the Workforce, Financial Services, Government Reform, International Relations, Small Business, Transportation and Infrastructure, Ways and Means, Veterans' Affairs, the Permanent Select Committee on Intelligence, and the Select Committee on Homeland Security. Page 3066

Read a letter from the President wherein he transmitted his intent to designate Algeria as a beneficiary developing country and to terminate the designation of Antigua and Barbuda, Barbados, Bahrain, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, and Slovakia as beneficiary developing countries for purposes of the Generalized System of Preferences—referred to the Committee on Ways and Means and ordered printed (H. Doc. 108–166). Page 3079

Amendments: Amendments ordered printed pursuant to the rule appear on page 3017.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings today and appear on pages 3080–81. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:50 p.m.

Committee Meetings

ANDEAN COUNTERDRUG INITIATIVE

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Andean Counterdrug Initiative." Testimony was heard from John P. Walters, Director, Office of National Drug Control Policy; Tom O'Connell, Assistant Secretary, Special Operations and Low Intensity Conflict, Department of Defense; and Robert Charles, Assistant Secretary, International Narcotics and Law Enforcement Affairs, Department of State.

OVERSIGHT—CIVIL RIGHTS DIVISION

Committee on the Judiciary: Subcommittee on Constitution held an oversight hearing on the Civil Rights Division of the U.S. Department of Justice. Testimony was heard from Alexander Acosta, Assistant Attorney General, Civil Rights Division, Department of Justice.

COMMERCIAL SPACE LAUNCH AMENDMENTS ACT OF 2004

Committee on Rules: Granted, by voice vote, a modified open rule providing one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Science. The rule waives points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII (requiring a three-day layover of the committee report). The rule provides that the bill shall be considered for amendment under the five-minute rule and that it shall be considered as read. The rule makes in order only those amendments to the bill that are pre-printed in the Congressional Record or are pro forma amendments for the purpose of debate. The rule provides that each amendment printed in the Congressional Record may be offered only by the Member who caused it to be printed or a designee, and that each amendment shall be considered as read. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Boehlert.

UNITED STATES PATENT AND TRADEMARK FEE MODERNIZATION ACT OF 2003

Committee on Rules: Granted, by a vote of 8 to 1, a structured rule providing one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment, and shall be considered as read. The rule waives all points of order against the Committee amendment in the nature of a substitute. The rule makes in order only those amendments to the Committee amendment in the nature of a substitute which are printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions.

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Wednesday, March 3, 2004

Senate

Chamber Action

Routine Proceedings, pages 3122–3289

Measures Introduced: Four bills and two resolutions were introduced, as follows: S. 2159–2162, and S. Res. 308–309. Page 3212

Measures Passed:

U.S. Armed Forces Reimbursement: Committee on Armed Services was discharged from further consideration of S. 2057, to require the Secretary of Defense to reimburse members of the United States Armed Forces for certain transportation expenses incurred by the members in connection with leave under the Central Command Rest and Recuperation Leave Program before the program was expanded to include domestic travel, and the bill was then passed. Page 3283

Jumpstart Our Business Strength (JOBS) Act: Senate began consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, agreeing to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment, and taking action on the following amendments proposed thereto: Page 3128

Adopted:

Grassley/Baucus Amendment No. 2645, to provide certain modifications to the revenue provisions. Page 3177

Grassley/Baucus Amendment No. 2646 (to Amendment No. 2645), modifying provisions relating to leasing. Page 3177

Bingaman Amendment No. 2651 (to Amendment No. 2647), to expand the research credit. Page 3184

By a unanimous vote of 93 yeas (Vote No. 31), Hatch Amendment No. 2647, to extend and modify the research credit. Page 3178

Pending:

Dodd Amendment No. 2660, to protect United States workers from competition of foreign workforces for performance of Federal and State contracts. Page 3194

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Thursday, March 4, 2004. Page 3284

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a notification of the continuation of the national emergency blocking property of persons undermining democratic processes or institutions in Zimbabwe; to the Committee on Banking, Housing, and Urban Affairs. (PM–69) Page 3210

Nominations Received: Senate received the following nomination:

Benjamin Grumbles, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency. Page 3289

Messages From the House: Page 3210

Measures Referred: Page 3210

Enrolled Bills Presented: Page 3210

Executive Communications: Page 3211

Additional Cosponsors: Page 3212

Statements on Introduced Bills/Resolutions: Page 3213

Additional Statements: Page 3029

Amendments Submitted: Page 3220

Authority for Committees to Meet: Page 3283

Privilege of the Floor: Page 3283

Record Votes: One record vote was taken today. (Total—31) Page 3194

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:36 p.m., until 9:30 a.m., on Thursday, March 4, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 3284.)

Committee Meetings

APPROPRIATIONS: DEPARTMENT OF ENERGY

Committee on Appropriations: Subcommittee on Energy and Water Development concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of Energy's Office of Science, Office of Nuclear Energy, Science and Technology, and Office of Energy Efficiency and Renewable Energy, after receiving testimony from David Garman, Assistant Secretary, Energy Efficiency and Renewable Energy, Raymond L. Orbach, Director, Office of Science, and William D. Magwood, IV, Director, Office of Nuclear Energy, Science and Technology, all of the Department of Energy.

APPROPRIATIONS: DISTRICT OF COLUMBIA

Committee on Appropriations: Subcommittee on the District of Columbia concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the government of the District of Columbia, focusing on Court Services, Offender Supervision Agency, and the Public Defender Service, after receiving testimony from Paul A. Quander, Jr., Director, Court Services and Offender Supervision Agency for the District of Columbia; Ronald S. Sullivan, Jr., Director, Public Defender Service for the District of Columbia; and Rev. Donald Isaac, East of the River Clergy-Police-Community Partnership, Washington, D.C.

APPROPRIATIONS: DEPARTMENT OF THE ARMY

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of the Army, after receiving testimony from R. Les Brownlee, Acting

Secretary of the Army; and General Peter T. Schoomaker, Chief of Staff, Department of the Army.

DEPARTMENT OF DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded a hearing to examine the role of defense science and technology in the global war on terrorism and in preparing for emerging threats in review of the defense authorization request for fiscal year 2005, after receiving testimony from Dale G. Uhler, Acquisition Executive and Senior Procurement Executive, Special Operations Acquisition and Logistics Center, United States Special Operations Command; Brigadier General Thomas D. Waldhauser, USMC, Commanding General, Marine Corps Warfighting Laboratory, Vice Chief, Office of Naval Research; Brigadier General Charles A. Cartwright, USA, Deputy Commanding General for Systems of Systems Integration, United States Army Research, Development and Engineering Command; Ronald M. Sega, Director, Defense Research and Engineering; Thomas H. Killion, Acting Deputy Assistant Secretary of the Army for Research and Technology, Chief Scientist; Rear Admiral Jay M. Cohen, USN, Chief of Naval Research; and James B. Engle, Deputy Assistant Secretary of the Air Force for Science, Technology and Engineering.

DEPARTMENT OF DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Seapower concluded a hearing to examine future Navy and Marine Corps capabilities and requirements in review of the defense authorization request for fiscal year 2005 and the future years defense program, after receiving testimony from John J. Young, Jr., Assistant Secretary of the Navy for Research, Development and Acquisition; Vice Admiral John B. Nathman, USN, Deputy Chief of Naval Operations for Warfare Requirements and Programs; Vice Admiral J. Cutler Dawson, Jr., USN, Deputy Chief of Naval Operations for Resources, Requirements and Assessments; Lieutenant General Robert Magnus, USMC, Deputy Commandant for Programs and Resources, Headquarters, United States Marine Corps; and Lieutenant General Edward Hanlon, Jr., USMC, Commanding General, Combat Development Command, United States Marine Corps.

2005: BUDGET

Committee on the Budget: Committee met to mark up a proposed concurrent resolution setting forth the fiscal year 2005 budget for the Federal Government, but did not complete consideration thereon, and will meet again tomorrow.

CLIMATE CHANGE

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the impact and consequences of climate change, focusing on its implications for society, effects of burning of fossil fuels (coal, oil, and natural gas), and climate variability and changes across the Arctic region, including issues relative to UV radiation, after receiving testimony from Senator Lieberman; Marvin A. Geller, Stony Brook University Institute for Terrestrial and Planetary Atmospheres, Stonybrook, New York; Jerry Mahlman, National Center for Atmospheric Research, Boulder, Colorado; Robert W. Corell, Arctic Climate Impact Assessment, Lee Hannah, Climate Change Biology, and Lara Hansen, World Wildlife Fund Climate Change Program, all of Washington, D.C.

IMPACT OF ABORTION

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology and Space concluded a hearing to examine the impact of abortion on women, after receiving testimony from Georgette Forney, National Organization of Episcopalians for Life (NOEL), Sewickley, Pennsylvania; Michaelene Jenkins, Life Resource Network, San Diego, California; Roselyn Smith-Withers, The Pavilion of God, Washington, D.C., on behalf of the Clergy Advisory Committee of the Religious Coalition for Reproductive Choice (RCRC); Elizabeth Shadigian, University of Michigan Department of Obstetrics and Gynecology, Ann Arbor; and Nada L. Stotland, Rush Medical College, Chicago, Illinois.

OUTFITTER POLICY ACT

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 1420, to establish terms and conditions for use of certain Federal land by outfitters and to facilitate public opportunities for the recreational use and enjoyment of such land, after receiving testimony from David Tenny, Deputy Under Secretary of Agriculture for Natural Resources and Environment; Jim Hughes, Deputy Director, Bureau of Land Management, Department of the Interior; Todd Davidson, Oregon Tourism Commission, Salem, on behalf of the Western States Tourism Policy Council; David L. Brown, America Outdoors, Knoxville, Tennessee; and Dave Simon, Sierra Club, San Francisco, California.

EPA GRANTS MANAGEMENT

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine grants management within the Environmental Protection Agency, focusing on a comprehensive system of management controls and initiatives to address grants management challenges, after receiving testimony from David J. O'Connor, Acting Assistant Administrator for the Office of Administration and Resources Management, and Melissa Heist, Assistant Inspector General for Audit, both of the Environmental Protection Agency; John B. Stephenson, Director, Natural Resources and the Environment, General Ac-

counting Office; and Steve Ellis, Taxpayers for Common Sense, Washington, D.C.

HEALTH INSURANCE CHALLENGES

Committee on Finance: Committee concluded a hearing to examine health insurance challenges, focusing on insurance scams, and their effect on workers and their families, and business owners who wish to provide health benefits, after receiving testimony from Ann L. Combs, Assistant Secretary of Labor for Employee Benefits Security; Kathryn G. Allen, Director, Health Care—Medicaid and Private Health Insurance Issues, and Robert J. Cramer, Managing Director, Office of Special Investigations, both of the General Accounting Office; Fred Nepple, Wisconsin Office of the Commissioner of Insurance, Madison, on behalf of the National Association of Insurance Commissioners ERISA Working Group; and Jose Montemayor, Texas Department of Insurance, Austin; Mila Kofman, Georgetown University Health Policy Institute, Washington, D.C.; Marie Almond, Albemarle, North Carolina; and Joan Piantadosi, Deerfield Beach, Florida.

FOREIGN AFFAIRS AGENCIES

Committee on Foreign Relations: Committee concluded a hearing to examine S. 2127, to build operational readiness in civilian agencies, focusing on post conflict stabilization and reconstruction requiring a broadly-based government response, including Federal efforts to fulfill ongoing objectives in Iraq and Afghanistan, after receiving testimony from James Dobbins, RAND International Security and Defense Policy Center, John J. Hamre, Center for Strategic and International Studies, and Hans Binnendijk, National Defense University, all of Washington, D.C.

BUSINESS MEETING

Committee on Indian Affairs: Committee met and approved the committee's views and estimates with respect to the President's proposed budget request for fiscal year 2005 for Indian programs.

NATIONAL MUSEUM OF THE AMERICAN INDIAN

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the status of the completion of the Smithsonian Institution's National Museum of the American Indian, after receiving testimony from W. Richard West, Jr., Director, National Museum of the American Indian; and Jacqueline Johnson, National Congress of American Indians, of Washington, D.C.

JUDICIAL ACTIVISM VS. DEMOCRACY

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Property Rights concluded a hearing to examine national implications of the Massachusetts Goodridge decision and the judicial invalidation of traditional marriage laws, after receiving testimony from Nebraska Attorney General Jon Bruning, Lincoln; Richard Richardson, St. Paul African Methodist Episcopal (AME) Church, Boston, Massachusetts, on behalf of the Black Ministerial Alliance of Greater Boston; Daniel de Leon, Sr., Templo Calvario, Santa Ana, California, on behalf of Associacion Evangelica de Ministerios Nacionales (AMEN); Hilary Shelton, National Association for the Advancement of Colored People, and Chuck Muth, Citizen Outreach, both of Washington D.C.; R. Lea Brilmayer, Yale University School of Law, New Haven, Connecticut; and Maggie Gallagher, Institute for Marriage and Public Policy, New York, New York.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 3879–3889; and 1 resolution, H. Res. 550, were introduced.

Page 3366

Additional Cosponsors: **Page 3367**

Reports Filed: No reports were filed today.

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Shaw to act as Speaker Pro Tempore for today. **Page 3290**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Urging the introduction of a resolution calling upon the Government of the People's Republic of China to end its human rights violations in China: Debated on Tuesday, March 2, H. Res. 530, amended, urging the appropriate representative of the United States to the 60th session of the United Nations Commission on Human Rights to introduce a resolution calling upon the Government of the People's Republic of China to end its human rights violations in China, by a ⅔ yea-and-nay vote of 402 yeas to 2 nays, Roll No. 34; **Page 3322**

Agreed to amend the title so as to read: resolution urging the appropriate representative of the United States to the 60th Session of the United Nations Commission on Human Rights to introduce a resolution calling upon the Government of the People's Republic of China to end its human rights violations in China. **Page 3323**

Charles "Pete" Conrad Astronomy Awards Act: H.R. 912, amended, to authorize the Administrator of the National Aeronautics and Space Administration to establish an awards program in honor of Charles "Pete" Conrad, astronaut and space scientist, for recognizing the discoveries made by amateur astronomers of asteroids with near-Earth orbit trajectories, by a ⅔ yea-and-nay vote of 404 yeas to1 nays, Roll No. 35; **Pages 3292, 3323**

Amending the Stevenson-Wydler Technology Innovation Act of 1980: H.R. 3389, to amend the Stevenson-Wydler Technology Innovation Act of 1980 to permit Malcolm Baldrige National Quality Awards to be made to nonprofit organizations, by a ⅔ yea-and-nay vote of 408 yeas with none voting "nay", Roll No. 36; and

Pages 3294, 3324

Copyright Royalty and Distribution Reform Act of 2003: H.R. 1417, amended, to amend title 17, United States Code, to replace copyright arbitration royalty panels with a Copyright Royalty Judge, by a ⅔ yea-and-nay vote of 406 yeas with none voting "nay", Roll No. 37.

Pages 3297, 3325

Agreed to amend the title so as to read: to amend title 17, United States Code, to replace copyright arbitration royalty panels with Copyright Royalty Judges. **Page 3325**

Suspensions—Proceedings Postponed: The House completed debate on the following measures to suspend the rules. Further proceedings were postponed until Thursday, March 4.

Honoring the men and women of the Drug Enforcement Administration on the occasion of its 30th Anniversary: H. Res. 412, honoring the men and women of the Drug Enforcement Administration on the occasion of its 30th Anniversary; and **Page 3307**

Supporting the goals of Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance: H. Res. 56, supporting the goals of the Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance to increase public awareness of the events surrounding the restriction, exclusion, and internment of individuals and families during World War II. **Page 3313**

Recess: The House recessed at 12:25 p.m. and reconvened at 1:33 p.m. **Page 3320**

National Commission on Terrorist Attacks Upon the United States: By unanimous consent the House passed S. 2136, to extend the final report date and termination date of the National Commission on Terrorist Attacks Upon the United States, to provide additional funding for the Commission—clearing the measure for the President. **Page 3320**

Rule for Consideration of Commercial Space Launch Amendments Act of 2004: The House agreed to H. Res. 546, the rule providing for consideration of H.R. 3752, to promote the development of the emerging commercial human space flight industry, to extend the liability indemnification regime for the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation, by a voice vote. **Page 3321**

Recess: The House recessed at 2:32 p.m. and reconvened at 4:08 p.m. **Page 3325**

United States Patent and Trademark Fee Modernization Act of 2003—Order of Business: Agreed by unanimous consent that the amendment placed at the desk be considered as the amendment printed in H. Rept. 108–431 and numbered 1. **Page 3326**

United States Patent and Trademark Fee Modernization Act of 2003: The House passed H.R. 1561, to amend title 35, United States Code, with respect to patent fees, by a yea-and-nay vote of 379 yeas to 28 nays, Roll No. 38. **Page 3329**

Pursuant to the rule, the amendment in the nature of a substitute was considered as an original bill for the purpose of amendment. **Page 3336**

Agreed to:

Sensenbrenner amendment that creates a "refund" program to eliminate the potential for diverting PTO revenue to non-PTO revenue programs and sets other regulations on patent searches (agreed to by voice vote).

Page 3338

H. Res. 547, the rule providing for consideration of the bill was agreed to by a voice vote. **Page 3326**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 11:30 a.m. on Thursday, March 4. **Page 3340**

Presidential Message: Read a letter from the President wherein he notified Congress of the continuation of the National Emergency with respect to Zimbabwe—referred to the Committee on International Relations and ordered printed (H. Doc. 108–168). **Page 3320**

Senate Message: Message from the Senate appears today on page 3290.

Senate Referral: S. 2136 was held at the desk.

Amendments: Amendments ordered printed pursuant to the rule appear on page 3368.

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings today and appear on pages 3323–25 and 3340. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:25 p.m.

Committee Meetings

BUDGET VIEWS AND ESTIMATES

Committee on Agriculture: Approved Committee's Budget Views and Estimates for Fiscal Year 2005 for submission to the Committee on the Budget.

AGRICULTURE, RURAL DEVELOPMENT, FHA AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies held a hearing on Inspector General.

Testimony was heard from the following officials of the USDA: Phyllis K. Fong, Inspector General; Joyce N. Fleischman, Deputy Inspector General; Robert W. Young, Jr., Assistant Inspector General, Audit; Jon E. Novak, Deputy Assistant Inspector General, Investigations; Delmas R. Thornsbury, Director, Resources Management Division; and Stephen B. Dewhurst, Budget Officer.

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies held a hearing on the Secretary of State. Testimony was heard from Colin L. Powell, Secretary of State.

INTERIOR AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior and Related Agencies held a hearing on the Forest Service. Testimony was heard from Dale Bosworth, Chief, Forest Service, USDA.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on P–16 Education Systems. Testimony was heard from public witnesses.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on Family Housing Privatization. Testimony was heard from William A. Armbruster, Deputy Assistant Secretary, Privatization and Partnerships, Department of the Army.

The Subcommittee also held a hearing on Central Command Budget Request. Testimony was heard from Gen. John Abizaid, USA, Commander, U.S. Central Command, Department of Defense.

TRANSPORTATION, TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury and Independent Agencies held a hearing on the Secretary of Transportation. Testimony was heard from Norman Y. Mineta, Secretary of Transportation.

VA, HUD, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies on the Department of Housing and Urban Development. Testimony was heard from the following officials of HUD: Michael Liu, Assistant Secretary, Public and Indian Housing; and John C. Weicher, Assistant Secretary, Housing/Federal Housing Commissioner.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—DOD

Committee on Armed Services: Held a hearing on the Fiscal Year 2005 National Defense Authorization budget request for the Department of Defense. Testimony was heard from the following officials of the Department of Defense: General John Abizaid, USA, Commander, U.S. Central Command; and Peter W. Rodman, Assistant Secretary, International Security Affairs.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST

Committee on Armed Services: Subcommittee on Projection Forces held a hearing on the Fiscal Year 2005 National Defense Authorization budget request—Department of Defense Capabilities for Conducting Conventional Long-range Strike Operations. Testimony was heard from the following officials of the Department of Defense: Lt. Gen. James E. Cartwright, USMC, Director, Force Structure, Resources and Assessment (J8), Joint Chiefs of Staff; Gen. T. Michael Moseley, USAF, Vice Chief of Staff, U.S. Air Force; and Rear Adm. Mark P. Fitzgerald, USN, Director, Air Warfare, Staff, Chief of Naval Operations; and the following officials of the Congressional Research Services, Library of Congress: Christopher Bolkcom; and Ronald O'Rourke, both Specialists in National Defense.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST

Committee on Armed Services: Subcommittee on Total Force held a hearing on the Fiscal Year 2005 National Defense Authorization budget request on Military Resale and Morale, Welfare and Recreation Programs. Testimony was heard from the following officials of the Department of Defense: Charles S. Abell, Principal Under Secretary, Personnel and Readiness; Maj. Gen. Mike Wiedemer, USAF, Director, Defense Commissary Agency; Maj. Gen. Kathryn Frost, USA, Commander, Army and Air Force Exchange Service Command; Rear Adm. William J. Maguire, USN, Supply Corps, U.S. Navy, Commander, Navy Exchange Service Command; and Michael P. Downs, USMC, Director, Personnel and Family Readiness Division, Headquarters, U.S. Marine Corps; and public witnesses.

MEMBERS' DAY

Committee on the Budget: Held a hearing on Members' Day. Testimony was heard from Representatives Young of Alaska, Hunter, Skelton, Evans, LoBiondo, Kirk, Hayes, Mica, Herger, Tiahrt, Ehlers, Bordallo, Radanovich, Ryan of Wisconsin, Rogers of Alabama, Case, Blackburn, Issa, Shaw, Alexander, Ross, Miller of Florida, Holt and Biggert.

"NO CHILD LEFT BEHIND: IMPROVING RESULTS FOR CHILDREN WITH DISABILITIES"

Committee on Education and the Workforce: Held a hearing entitled "No Child Left Behind: Improving Results for Children with Disabilities." Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES; COMMITTEE BUSINESS

Committee on Energy and Commerce: Ordered reported the following measures: H.R. 3717, amended, Broadcast Decency Enforcement Act of 2004; H.R. 3261, unfavorably, Database and Collections of Information Misappropriation Act; H.R. 3658, amended, Stroke Treatment and Ongoing Prevention Act; H. Res. 522, Expressing the sense of the House of Representatives that there is a critical need to increase awareness and education about heart disease and the risk factors of heart disease among women; S. 1881, amended, Medical Devices Technical Corrections Act; and H.R. 3872, Consumer Access to Information Act of 2004.

The Committee also approved pending Committee business.

STOCK OPTION ACCOUNTING REFORM ACT

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing on H.R. 3574, Stock Option Accounting Reform Act. Testimony was heard from public witnesses.

OVERSIGHT—FINANCIAL REPORT U.S. GOVERNMENT FISCAL YEAR 2003

Committee on Government Reform: Subcommittee on Government Efficiency and Financial Management held an oversight hearing on "Financial Report of the U.S. Government for Fiscal Year 2003." Testimony was heard from David M. Walker, Comptroller General, GAO; Linda M. Springer, Controller, Office of Federal Financial Management, OMB; and Donald V. Hammond, Fiscal Assistant Secretary, Department of the Treasury.

FEDERAL INFORMATION TECHNOLOGY INVESTMENT MANAGEMENT

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held a hearing entitled "Federal Information Technology Investment Management, Strategic Planning, and Performance Measurement: 60 Billion Reasons Why." Testimony was heard from the following officials of the OMB: Clay Johnson III, Deputy Director, Management and Budget; and Karen S. Evans, Administrator, E-Government and Information Technology; and David A. Powner, Director, Information Technology Management Issues, GAO.

RESOLUTION REGARDING DEATH OF MACEDONIAN PRESIDENT; U.S. PRIORITIES IN EUROPE

Committee on International Relations: Subcommittee on Europe approved for full Committee action H. Res. 540, Expressing the condolences and deepest sympathies of the House of Representatives for the untimely death of Macedonian President Boris Trajkovski.

The Subcommittee also held a hearing on U.S. Priorities in Europe. Testimony was heard from A. Elizabeth Jones, Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State.

SITUATION IN HAITI

Committee on International Relations: Subcommittee on Western Hemisphere held a hearing on The Situation in Haiti. Testimony was heard from the following officials of the Department of State: Roger F. Noriega, Assistant Secretary, Bureau of Western Hemisphere Affairs; Arthur E. Dewey, Assistant Secretary, Bureau of Population, Refugees, and Migration; and Adolfo A. Franco, Assistant Administrator, Bureau for Latin America and the Caribbean, AID; Timothy M. Carney, former U.S. Ambassador to Haiti; and public witnesses.

"MINERALS AND ENERGY; OUTSOURCING AMERICAN JOBS OVERSEAS"

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing entitled "Minerals and Energy: Outsourcing American Jobs Overseas." Testimony was heard from public witnesses.

REVIEW—HYDROGEN FUEL AND FREEDOMCAR INITIATIVES

Committee on Science: Held a hearing to Review the Hydrogen Fuel and FreedomCAR Initiatives. Testimony was heard from David K. Garman, Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy; and public witnesses.

DOD INTELLIGENCE SURVEILLANCE AND RECONNAISSANCE

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Department of Defense Intelligence Surveillance and Reconnaissance. Testimony was heard from departmental witnesses.

ENABLING INFORMATION SHARING ACROSS INTELLIGENCE COMMUNITY

Permanent Select Committee on Intelligence: Subcommittee on Technical and Tactical Intelligence met in executive session to hold a hearing on Enabling Information Sharing Across the Intelligence Community. Testimony was heard from departmental witnesses.

DEPARTMENT OF HOMELAND SECURITY—EMERGENCY PREPAREDNESS AND RESPONSE DIRECTORATE BUDGET

Select Committee on Homeland Security: Subcommittee on Emergency Preparedness and Response held a hearing entitled "Department of Homeland Security Emergency Preparedness and Response Directorate Fiscal Year 2005 Budget." Testimony was heard from Michael D. Brown, Under Secretary, Emergency Preparedness and Response, Department of Homeland Security.

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Thursday, March 4, 2004

Senate

Chamber Action

Routine Proceedings, pages 3427–3506

Measures Introduced: Nine bills and two resolutions were introduced, as follows: S. 2163–2171, and S. Res. 310–311. **Page 3474**

Measures Passed:

Miscellaneous Trade and Technical Corrections Act: Senate passed H.R. 1047, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 671, Senate companion measure, after agreeing to the following amendment proposed thereto: **Page 3437**

Grassley/Baucus Amendment No. 2678, to make certain technical amendments. **Page 3438**

Subsequently, S. 671, was returned to the Senate calendar. **Page 3438**

Galisteo Basin Archaeological Sites Protection Act: Senate passed H.R. 506, to provide for the protection of archaeological sites in the Galisteo Basin in New Mexico, clearing the measure for the President. **Page 3505**

Fort Bayard National Historic Landmark Act: Senate passed H.R. 2059, to designate Fort Bayard Historic District in the State of New Mexico as a National Historic Landmark, clearing the measure for the President. **Page 3505**

Jumpstart Our Business Strength (JOBS) Act: Senate continued consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and taking action on the following amendments proposed thereto: **Pages 3438, 3462**

Adopted:

McConnell/Frist Modified Amendment No. 2680 (to Amendment No. 2660), to protect the jobs of American workers. **Pages 3442, 3457**

Thomas (for McCain) Amendment No. 2685 (to Amendment No. 2660, as modified and amended), to protect United States workers from competition of foreign workforces for performance of Federal and State contracts. **Page 3457**

By 70 yeas to 26 nays (Vote No. 32), Dodd Modified Amendment No. 2660, to protect United States workers from competition of foreign workforces for performance of Federal and State contracts. **Pages 3438, 3456, 3460**

Pending:

Bunning Amendment No. 2686, to accelerate the phase-in of the deduction relating to income attributable to domestic production activities. **Page 3462**

Grassley (for Bayh) Amendment No. 2687 (to Amendment No. 2686), to provide for the extension of certain expiring provisions. **Page 3462**

Budget Resolution—Agreement: A unanimous-consent agreement was reached providing for consideration of the concurrent resolution setting forth the congressional budget for the United States government for fiscal year 2005, if available and qualified, at 12 noon, on Monday, March 8, 2004. **Page 3505**

Authority for Committees Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the Committee on the Budget and the Committee on Foreign Relations, were authorized to file legislative reports on Friday, March 5, 2004, from 10 a.m. until 12 noon. **Page 3506**

Appointments:

National Commission of Small Community Air Service: The Chair, on behalf of the Democratic Leader, pursuant to Public Law 108–176, appointed the following individual to serve as a member of the National Commission of Small Community Air Service: Robb B. Sexauer of South Dakota. **Page 3506**

Abraham Lincoln Study Abroad Fellowship Program: The Chair, on behalf of the Democratic Leader, pursuant to Public Law 108–199, appointed the following individuals to serve as members of the Abraham Lincoln Study Abroad Fellowship Program: Senator Durbin and Brad R. Heegel of South Dakota. **Page 3506**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the text of a proposed Protocol Amending the Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of Indonesia Con-

cerning Peaceful Uses of Nuclear Energy; to the Committee on Foreign Relations. (PM–70) Page 3473

Messages From the House: Page 3474

Measures Referred: Page 3474

Executive Reports of Committees: Page 3474

Additional Cosponsors: Page 3475

Statements on Introduced Bills/Resolutions: Page 3476

Additional Statements: Page 3472

Amendments Submitted: Page 3487

Authority for Committees to Meet: Page 3504

Privilege of the Floor: Page 3505

Record Votes: One record vote was taken today. (Total—32) Page 3461

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:02 p.m., until 12 noon, on Monday, March 8, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 3506.)

Committee Meetings

ANIMAL IDENTIFICATION

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Marketing, Inspection, and Product Promotion concluded an oversight hearing to examine the development of a national animal identification plan, focusing on the benefits and current status of animal identification systems and the plan of the Department of Agriculture for implementation of a national identification system, after receiving testimony from William Hawks, Under Secretary of Agriculture for Marketing and Regulatory Programs; Bret D. Marsh, Indianapolis, Indiana, on behalf of the U.S. Animal Health Association; Fritz Schmitz-Hsu, Ittigen, Switzerland, on behalf of the Animal Tracking Corporation; Mike John, Columbia, Missouri, on behalf of the National Cattlemen's Beef Association; Joy Philippi, Bruning, Nebraska, on behalf of the National Pork Producers Council; Bob Lehfeldt, Montana Wool Growers Association, Helena, on behalf of the American Sheep Industry Association; and Ronald Ostberg, Montana Farmers Union, Great Falls, on behalf of the National Farmers Union.

APPROPRIATIONS: DEPARTMENT OF ENERGY

Committee on Appropriations: Subcommittee on Interior and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of Energy, after receiving testimony from Spencer Abraham, Secretary of Energy.

APPROPRIATIONS: GAO/GPO/CBO

Committee on Appropriations: Subcommittee on Legislative Branch concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the General Accounting Office (GAO), the Government Printing Office (GPO), and the Congressional Budget Office (CBO), after receiving testimony from David M. Walker, Comptroller General, Gene L. Dodaro, Chief Operating Officer, Stanley Czerwinski, Associate Director, Housing and Community Development Issues, and Sallyanne Harper, Chief Mission Support Office and Chief Financial Officer, all of the General Accounting Office; Bruce James, Public Printer and William H. Turri, Deputy Public Printer, both of the Government Printing Office; and Douglas Holtz-Eakin, Director, and Elizabeth M. Robinson, Deputy Director, both of the Congressional Budget Office.

APPROPRIATIONS: DEPARTMENT OF EDUCATION

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of Education, after receiving testimony from Roderick Paige, Secretary of Education; Paul G. Vallas, School District of Philadelphia, Sam Evans, American Foundation for Negro Affairs, and C. Delores Tucker, Philadelphia Martin Luther King, Jr. Association for Nonviolence, Inc., all of Philadelphia, Pennsylvania; James Weaver, Pennsylvania State Education Association, Harrisburg; Melissa Jamula, Reading School District, Reading, Pennsylvania; James R. Scanlon, Quakertown Community School District, Quakertown, Pennsylvania; and Marie Slobojan, Tredyffrin/Easttown School District, Berwyn, Pennsylvania.

DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded a hearing to examine the Defense Authorization Request for Fiscal Year 2005, focusing on military strategy and operational requirements, after receiving testimony from General James L. Jones, Jr., USMC, Commander, United States European Command and Supreme Allied Commander, Europe; and General John P. Abizaid, USA, Commander, United States Central Command.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine the Defense Authorization Request for fiscal year 2005, focusing on compensation, benefits, and health care for active and Reserve military personnel and their families, after receiving testimony from Senators Daschle and Graham (SC); Charles S. Abell, Principal Deputy Under Secretary for Personnel and Readiness, and William Winkenwerder, Jr., Assistant Secretary for Health Affairs, both of the Department of Defense; Joyce Wessel Raezer, National Military Family Association, Sue Schwartz, Military Coalition Health Care Committee, Master Sergeant Michael P. Cline, USA (Ret.), Enlisted Association of the National Guard of the United States, all of Alexandria, Virginia; Deirdre Parke

Holleman, Retired Enlisted Association, Aurora, Colorado; and Colonel Dennis M. Duggan, USA (Ret.), American Legion, Washington, D.C.

2005 BUDGET

Committee on the Budget: Committee continued in evening session to mark up a proposed concurrent resolution setting forth the fiscal year 2005 budget for the Federal Government.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Rhonda Keenum, of Mississippi, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Services, who was introduced by Senator Cochran and Representative Wicker; Linda Morrison Combs, of North Carolina, to be an Assistant Secretary for Budget and Programs and Chief Financial Officer, Department of Transportation, who was introduced by Senator Dole; W. Douglas Buttrey, of Tennessee, who was introduced by Representative Ford, and Francis Mulvey, of Maryland, both to be a Member of the Surface Transportation Board, Department of Transportation, who was introduced by Representative Oberstar, after each nominee testified and answered questions in their own behalf.

ENERGY OUTLOOK 2004

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the Energy Information Administration (EIA) Annual Energy Outlook 2004 forecast regarding the supply, demand, and price projections for oil, natural gas, nuclear, coal and renewable resources, including commercial and market perspectives on the state of oil and natural gas markets, after receiving testimony from Guy F. Caruso, Administrator, Energy Information Administration, Department of Energy; Richard J. Sharples, Anadarko Petroleum Corporation, The Woodlands, Texas; Paul D. Koonce, Dominion Energy, Inc., Richmond, Virginia; and Jay Saunders, DeutscheBank, New York, New York.

NUCLEAR POWER GENERATION

Committee on Energy and Natural Resources: Subcommittee on Energy concluded a hearing to examine new nuclear power generation in the United States, focusing on Browns Ferry Unit 1, nuclear power plant license renewal, power uprates (requests to raise the maximum power level at which a nuclear power plant may be operated), and heightened security at U.S. commercial reactors, after receiving testimony from Glenn L. McCullough, Jr., Chairman, Tennessee Valley Authority; William D. Travers, Executive Director for Operations, U.S. Nuclear Regulatory Commission; Marvin S. Fertel, Nuclear Energy Institute, Washington, D.C.; James K. Asselstine, Lehman Brothers, Inc., New York, New York; and Jim M. Bernhard, Shaw Group, Baton Rouge, Louisiana.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following items:

S. 2144, to authorize appropriations for the Department of State and international broadcasting activities for fiscal year 2005, for the Peace Corps for fiscal year 2005 through 2007, for foreign assistance programs for fiscal year 2005, with amendments;

S. 2096, to promote a free press and open media through the National Endowment for Democracy;

S. 2127, to build operational readiness in civilian agencies;

Convention Between the Government of the United States of America and the Government of Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, signed at Washington on November 6, 2003, together with a Protocol and an exchange of notes (the "Convention") (Treaty Doc. 108–14);

The Convention Between the Government of the United States of America and the Government of the Democratic Socialist Republic of Sri Lanka for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, Signed at Colombo on March 14, 1985. (Treaty Doc. 99–10);

Protocol Amending the Convention Between the Government of the United States of America and the Government of the Democratic Socialist Republic of Sri Lanka for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income signed at Colombo on March 14, 1985, together with an exchange of notes, signed at Washington on September 20, 2002 (the "Protocol") (Treaty Doc. 108–9), with 1 understanding;

The Protocol Additional to the Agreement Between the United States of America and the International Atomic Energy Agency for the Application of Safeguards in the United States of America, with annexes, signed at Vienna June 12, 1998 (Treaty Doc. 107–7), with 2 conditions and 8 understandings; and

The nominations of Feliciano Foyo, of Florida, and Robert Hurley McKinney, of Indiana, each to be a Member of the Advisory Board for Cuba Broadcasting, Edward E. Kaufman, of Delaware, and Steven J. Simmons, of Connecticut, each to be a Member of the Broadcasting Board of Governors, Glyn T. Davies, of the District of Columbia, for the rank of Ambassador during his tenure of service as the Political Director for the United States Presidency of the G–8, and Sanford Gottesman, of Texas, Diane M. Ruebling, of California, and C. William Swank, of Ohio, each to be a Member of the Board of Directors of the Overseas Private Investment Corporation, and Richard S. Williamson, of Illinois, for the rank of Am-

bassador during his tenure of service as Representative of the United States of America on the Human Rights Commission of the Economic and Social Council of the United Nations.

HONG KONG

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine the prospects for democratic development in Hong Kong, focusing on the challenge of redefining Hong Kong's economic and political structure, after receiving testimony from Randall G. Schriver, Deputy Assistant Secretary of State for East Asian and Pacific Affairs; Martin Lee Chu-ming and James To, each a member of Hong Kong's Legislative Council, Lee Cheuk-yan, Hong Kong Confederation of Trade Unions, and Law Yuk-Kai, Human Rights Monitor Director, all of Hong Kong; and James V. Feinerman, Georgetown University Law Center, Ellen Bork, Project for the New American Century, and John J. Tkacik, Jr., Heritage Foundation, all of Washington, D.C.

HIGHER EDUCATION ACT AND THE WORKFORCE

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine issues for reauthorization of the Higher Education Act, focusing on a knowledge-based economy, the relationship between postsecondary education and the workforce, and financial aid, after receiving testimony from Charles H. Bohlen, Laramie County Community College, Cheyenne, Wyoming, on behalf of the American Association of Community Colleges on the Higher Education Act; James C. Votruba, Northern Kentucky University, Highland Heights; Beth B. Buehlmann, U.S. Chamber of Commerce Center for Workforce Preparation, Washington, D.C.; Diana G. Oblinger, Microsoft Corporation, Bellevue, Washington; and Ellen O'Brien Saunders, Washington State Workforce Training and Education Coordinating Board, Olympia.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Raymond W. Gruender, of Missouri, to be United States Circuit Judge for the Eighth Circuit, Franklin S. Van Antwerpen, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, Judith C. Herrera, to be United States District Judge for the District of New Mexico, F. Dennis Saylor IV, to be United States District Judge for the District of Massachusetts, Sandra L. Townes, to be United States District Judge for the Eastern District of New York, Louis Guirola, Jr., to be United States District Judge for the Southern District of Mississippi, Virginia E. Hopkins, to be United States District Judge for the Northern District of Alabama, Kenneth M. Karas, to be United States District Judge for the Southern District of New York, Ricardo S. Martinez, of Washington, to be United States District Judge for the Western District of Washington, Gene E. K. Pratter, to be United States District Judge for the Eastern District of Pennsylvania, Neil Vincent Wake, to be United States District Judge for the District of Arizona,

William S. Duffey, Jr., to be United States District Judge for the Northern District of Georgia, and Michele M. Leonhart, of California, to be Deputy Administrator of Drug Enforcement,

Domingo S. Herraiz, of Ohio, to be Director of the Bureau of Justice Assistance, LaFayette Collins, to be United States Marshal for the Western District of Texas, and Ronald J. Tenpas, of Illinois, to be United States Attorney for the Southern District of Illinois, all of the Department of Justice.

INTELLIGENCE

Select Committee on Intelligence: Committee concluded closed hearings on intelligence matters after receiving testimony from officials of the intelligence community.

MONEY LAUNDERING

United States Senate Caucus on International Narcotics Control: Caucus concluded a hearing to examine the current status of federal efforts to coordinate and combat money laundering and terrorist financing, after receiving testimony from Loren Yager, Director, International Affairs and Trade, General Accounting Office; Juan C. Zarate, Deputy Assistant Secretary of the Treasury, Executive Office for Terrorist Financing and Financial Crimes; Michael T. Dougherty, Director of Operations, U.S. Immigration and Customs Enforcement, Department of Homeland Security; and Gary M. Bald, Acting Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, and Karen P. Tandy, Administrator, Drug Enforcement Administration, both of the Department of Justice; and Raymond W. Baker, Center for International Policy, Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 22 public bills, H.R. 3890–3911; 1 private bill, H.R. 3912; and 2 resolutions, H. Con. Res. 378–379, were introduced. **Page 3424**

Additional Cosponsors: **Page 3425**

Reports Filed: No reports were filed today.

Pension Funding Equity Act of 2003—Motion to go to Conference: The House disagreed to the Senate amendment to H.R. 3108, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate

bonds for certain pension plan funding requirements and other provisions, and agreed to a conference. Page 3388

Appointed as conferees: From the Committee on Education and the Workforce, for consideration of the House bill and the Senate amendment, and modification committed to conference: Representatives Boehner, McKeon, Sam Johnson (TX), Tiberi, George Miller (CA), and Andrews. Page 3388

From the Committee on Ways and Means, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Representatives Thomas, Portman, and Rangel. Page 3388

Commercial Space Launch Amendments Act of 2004: The House passed H.R. 3752, to promote the development of the emerging commercial human space flight industry, to extend the liability indemnification regime for the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation, by a yea-and-nay vote of 402 yeas to 1 nay, Roll No. 39. Page 3388

Agreed to:

Boehlert amendment (No. 1 printed in the Congressional Record of March 3) that makes technical corrections to the bill; and Page 3392

Flake amendment (No. 2 printed in the Congressional Record of March 3) that holds funding for the next three fiscal years for the Federal Aviation Administration's Office of Associate Administrator for Commercial Space Transportation at the current spending level. Page 3392

H. Res. 546, the rule providing for consideration of the bill was agreed to on Wednesday, March 3.

Suspensions: The House agreed to suspend the rules and pass the following measures:

Honoring the men and women of the Drug Enforcement Administration on the occasion of its 30th Anniversary: Debated on March 3, H. Res. 412, honoring the men and women of the Drug Enforcement Administration on the occasion of its 30th Anniversary, by a ⅔ yea-and-nay vote of 402 yeas to 1 nay, Roll No. 40; and Page 3394

Supporting the goals of Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance: Debated on March 3, H. Res. 56, supporting the goals of the Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance to increase public awareness of the events surrounding the restriction, exclusion, and internment of individuals and families during World War II, by a yea-and-nay vote of 404 yeas with none voting "nay", Roll No. 41. Page 3394

Late Report: Agreed that the Committee on the Judiciary have until midnight on March 5 to file a report on H.R. 339, to prevent frivolous lawsuits against the manufacturers, distributors, or sellers of food or non-alcoholic beverage products that comply with applicable statutory and regulatory requirements. Page 3396

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12 noon on Monday, March 8, and further that when it adjourn on that day, it adjourn to meet at 12:30 p.m. on Tuesday, March 9 for Morning-Hour debate. Page 3396

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, March 10. Page 3396

Presidential Message: Read a letter from the President wherein he transmitted the text a proposed Protocol Amending the Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of Indonesia Concerning Peaceful Uses of Nuclear Energy—referred to the Committee on International Relations and ordered printed (H. Doc. 108–169). Page 3422

Senate Message: Message from the Senate appears today on page 3386.

Senate Referral: S. 2057 was referred to the Committee on Armed Services. Page 3422

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages 3393–94. There were no quorum calls.

Adjournment: The House met at 11:30 a.m. and adjourned at 4:58 p.m.

Committee Meetings

MARKETING AND REGULATORY PROGRAMS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies held a hearing on Marketing and Regulatory Programs. Testimony was heard from the following officials of the USDA: William T. Hawks, Under Secretary, Marketing and Regulatory Programs; Bobby R. Accord, Administrator, Animal and Plant Health Inspection Service; A.J. Yates, Administrator, Agricultural Marketing Service; and Donna Reifschneider, Administrator, Grain Inspection, Packers and Stockyards Administration.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on the Bureau of Reclamation. Testimony was heard from the following officials of the Department of the Interior: Gale A. Norton, Secretary; and John W. Keys III, Commissioner, Bureau of Reclamation.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Secretary of Homeland Secu-

rity. Testimony was heard from Tom Ridge, Secretary of Homeland Security.

INTERIOR AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior and Related Agencies held a hearing on the Fish and Wildlife Service. Testimony was heard from Steven A. Williams, Director, Fish and Wildlife Service, Department of the Interior.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Secretary of Health and Human Services. Testimony was heard from Tommy G. Thompson, Secretary of Health and Human Services.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Veterans' Affairs, HUD and Independent Agencies held a hearing on the EPA. Testimony was heard from Michael Leavitt, Administrator, EPA.

NATIONAL DEFENSE AUTHORIZATION—MILITARY CONSTRUCTION BUDGET REQUEST

Committee on Armed Services: Subcommittee on Readiness held a hearing on the Fiscal Year 2005 National Defense Authorization budget request—Military Construction Budget Request for the Programs of the Department of the Army and the Department of the Navy. Testimony was heard from the following officials of the Department of the Army: Geoffrey G. Prosch, Acting Assistant Secretary, Installations and Environment; Maj. Gen. Larry J. Lust, USA, Assistant Chief of Staff, Installation Management; Maj. Gen. Walter Pudlowski, USA, Special Assistant to the Director, Army National Guard; and Brig. Gen. Gary M. Profit, USA, Deputy Chief, Army Reserve; and the following officials of the Department of the Navy: H.T. Johnson, Assistant Secretary, Installations and Environment; Rear Adm. Christopher Weaver, USN, Commander, Navy Installations; and Brig. Gen. Willie J. Williams, USMC, Assistant Deputy Commandant, Installations and Logistics (Facilities), Commandant of the Marine Corps (LF).

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—AVIATION INDUSTRIAL BASE AND DOD ROTORCRAFT INVESTMENT PROGRAMS

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on the Fiscal Year 2005 National Defense Authorization budget request—Aviation Industrial Base and Department of Defense Rotorcraft Investment Programs. Testimony was heard from the following officials of the Department of Defense: Al Shaffer, Director, Plans and Programs for the Director, Defense Research and Engineering, Office of the Secretary; Maj. Gen. James D. Thurman, USA, Director, Army Aviation Task Force; Tom Laux, Program Executive Officer (Air Anti-Submarine Warfare, Assault, and Special Missions), Department of the Navy; Rear Adm. Andy Winns, USN, Deputy N78 Aviation Requirements Officer for Helicopters, U.S. Navy; and Brig. Gen. Samuel T. Helland, USMC, Assistant Deputy Commandant, Aviation, U.S. Marine Corps; Joseph H. Bogosian, Deputy Assistant Secretary, Transportation and Machinery, Department of Commerce; and a public witness.

NATIONAL DEFENSE AUTHORIZATION REQUEST—DOD HOMELAND DEFENSE AND HOMELAND SECURITY MISSIONS

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the Fiscal Year 2005 National Defense Authorization Budget Request—Department of Defense Responsibilities in Homeland Defense and Homeland Security Missions. Testimony was heard from the following officials of the Department of Defense: Paul McHale, Assistant Secretary (Homeland Defense); Lt.. Gen. H. Steven Blum, USA, Chief, National Guard Bureau; and Maj. Gen. John A. Love, USAF, Special Assistant to the Commander, Northern Command, National Guard Matters.

CHILD NUTRITION AND IMPROVEMENT INTEGRITY ACT

Committee on Education and the Workforce: Subcommittee on Education Reform approved for full Committee action, as amended, H.R. 3873, Child Nutrition Improvement and Integrity Act.

PRESCRIPTION DRUG MONITORING

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Prescription Drug Monitoring: Strategies to Promote Treatment and Deter Prescription Drug Abuse." Testimony was heard from Representative Rogers of Kentucky; Marcia Crosse, Director, HealthCare/Public Health and Military Health Care Issues; James W. Holsinger, M.D., Secretary, Health and Family Services, State of Kentucky; and public witnesses.

SECURITY DOE NUCLEAR FACILITIES

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "A Review of Security DOE Nuclear Facilities and the Implementation of the Revised Design Basis Threat." Testimony was heard from the following officials of the Department of Energy: Glenn S. Podonsky, Director, Office of Security and Safety Performance Assurance; Herbert Richardson, Principal Deputy Inspector General; and William J. Brumley, Manager, Y–12 Sit Office, National Nuclear Security Administration; and public witnesses.

OVERSIGHT—FDIC

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled "Oversight of the Federal Deposit Insurance Corporation." Testimony was heard from the following officials of the FDIC: Donald E. Powell, Chairman; and Gaston L. Gianni, Jr., Inspector General; and Jeanette M. Franzel, Director, Financial Management and Assurance, GAO.

MISCELLANEOUS MEASURES

Committee on Government Reform: Ordered reported the following bills: H.R. 3059, To designate the facility of the United States Postal Service located at 304 West Michigan Street in Stuttgart, Arkansas, as the "Lloyd L. Burke Post Office"; H.R. 3723, To designate the facility of the United States Postal Service located at 8135 Forest Lane in Dallas, Texas, as the "Vaughn Gross Post Office Building"; and H.R. 3855, To designate the facility of the United States Postal Service located at 607 Pershing Drive in Laclede, Missouri, as the "General John J . Pershing Post Office".

US-VISIT PROGRAM—GOALS AND CHALLENGES

Committee on Government Reform: Held a hearing entitled "America's New Welcome Mat: A Look at the Goals and Challenges of the US-VISIT Program." Testimony was heard from Asa Hutchinson, Under Secretary, Border and Transportation Security, Department of Homeland Security; Maura Harty, Assistant Secretary, Consular Affairs, Department of State; and public witnesses.

U.S. GOVERNMENT STRATEGY FOR FIGHTING HIV/AIDS

Committee on International Relations: Held a hearing on The United States Government Strategy for Fighting HIV/AIDS: Implementation of Public Law 108–25. Testimony was heard from Ambassador Randall L. Tobias, Coordinator for HIV/AIDS, Department of State.

OVERSIGHT—ALIEN REMOVAL UNDER OPERATION PREDATOR

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing on Alien Removal Under "Operation Predator." Testimony was heard from Michael J. Garcia, Assistant Secretary, Immigration and Customs Enforcement, Department of Homeland Security; and John Walsh, host of "America's Most Wanted: America Fights Back."

OVERSIGHT—U.S. COAST GUARD AND FEDERAL MARITIME COMMISSION REQUESTS; COAST GUARD AUTHORIZATION ACT

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing on the U.S. Coast Guard and Federal Maritime Commission Fiscal Year 2005 Budget Requests, and H.R. 3879, Coast Guard Authorization Act for Fiscal Year 2005. Testimony was heard from the following officials of the U.S. Coast Guard, Department of Homeland Security: Adm. Thomas H. Collins, Commandant; and Master Chief Petty Officer, Franklin A. Welch; and Steven R. Blust, Chairman, Federal Maritime Commission.

BUDGET VIEWS AND ESTIMATES; DEPARTMENT OF LABOR'S BUDGET PROPOSAL

Committee on Ways and Means: Approved the Committee's Budget Views and Estimates for Fiscal Year 2005 for submission to the Committee on the Budget.

The Committee also held a hearing on the President's Fiscal Year 2005 Budget for the Department of Labor. Testimony was heard from Elaine L. Chao, Secretary of Labor.

TERROR THREATS; DETAINEE INFORMATION UPDATE

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Terror Threats. Testimony was heard from departmental witnesses.

The Committee also met in executive session to hold a hearing on Detainee Information Update. Testimony was heard from departmental witnesses.

DEPARTMENT OF HOMELAND SECURITY'S INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION BUDGET PROPOSAL

Select Committee on Homeland Security: Subcommittee on Intelligence and Counterterrorism and the Subcommittee on Infrastructure and Border Security held a joint hearing entitled "The Department of Homeland Security's Information Analysis and Infrastructure Protection Budget Proposal for Fiscal Year 2005." Testimony was heard from Frank Libutti, Under Secretary, Information Analysis and Infrastructure Protection, Department of Homeland Security.

Joint Meetings

LEGISLATIVE PRESENTATIONS

Joint Hearing: Senate Committee on Veterans' Affairs concluded joint hearings with the House Committee on Veterans' Affairs to examine legislative presentations of certain veterans organizations, after receiving testimony from Al Silvano, Military Order of the Purple Heart, Springfield, Virginia; Joseph L. Fox, Sr., Paralyzed Veterans of America, Paul Bernstein, Jewish War Veterans, and Neil Appleby, Blinded Veterans Association, all of Washington, D.C.; and H. Gene Overstreet, Non Commissioned Officers Association, San Antonio, Texas.

Monday, March 8, 2004

Senate

Chamber Action

Routine Proceedings, pages 3526–3651

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 2172–2176, and S. Con. Res. 96. Page 3574

Measures Reported:

Reported on Friday, March 5, during the adjournment:

S. Con. Res. 95, setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009. Page 3573

Measures Passed:

Commemorating First Meeting of Republican Party: Senate agreed to S. Con. Res. 96, commemorating the 150th anniversary of the first meeting of the Republican Party in Ripon, Wisconsin. Page 3640

Minor Use and Minor Species Animal Health Act: Senate passed S. 741, to amend the Federal Food, Drug, and Cosmetic Act with regard to new animal drugs, after agreeing to the committee amendment in the nature of a substitute. Page 3640

Budget Resolution: Senate began consideration of S. Con. Res. 95, setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009. Page 3527

A unanimous-consent agreement was reached providing for further consideration of the resolution at 9:30 a.m., on Tuesday, March 9, 2004; provided further, that there be 40 hours equally divided remaining for debate under the statutory limit. Page 3650

Executive Reports of Committees: Senate received the following executive report of a committee:

Report to accompany the Convention Between the Government of the United States of America and the Government of Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, signed at Washington on November 6, 2003, together with a Protocol and an exchange of notes (the "Convention") (Treaty Doc. 108–14) (Ex. Rept. 108–9) Page 3574

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report on the intent to enter into a Free Trade Agreement (FTA) with the Government of Morocco; to the Committee on Finance. (PM–71) Page 3571

Transmitting, pursuant to law, a report to the Congress on Implementation of Public Law 107–228 Authority for Russian Federation Debt Reduction for Nonproliferation; to the Committee on Foreign Relations. (PM–72) Page 3572

Nominations Confirmed: Senate confirmed the following nominations:

Domingo S. Herraiz, of Ohio, to be Director of the Bureau of Justice Assistance.

Michele M. Leonhart, of California, to be Deputy Administrator of Drug Enforcement.

LaFayette Collins, of Texas, to be United States Marshal for the Western District of Texas for the term of four years.

Ronald J. Tenpas, of Illinois, to be United States Attorney for the Southern District of Illinois for a term of four years. Pages 3640, 3651

Messages From the House: Page 3572

Measures Referred: Page 3572

Enrolled Bills Presented: Page 3572

Executive Communications: Page 3572

Executive Reports of Committees: Page 3574

Additional Cosponsors: Page 3574

Statements on Introduced Bills/Resolutions: Page 3576

Additional Statements: Page 3569

Amendments Submitted: Page 3582

Authority for Committees to Meet: Page 3587

Privilege of the Floor: Page 3587

Text of H.R. 1047, as Previously Passed: Page 3587

Adjournment: Senate convened at 12 noon, and adjourned at 7:56 p.m., until 9:30 a.m., on Tuesday, March 9, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 3650.)

Committee Meetings

2005 BUDGET

Committee on the Budget: On Thursday, March 4, Committee ordered favorably reported an original concurrent resolution (S. Con. Res. 95) setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Mark B. McClellan, of the District of Columbia, to be Administrator of the Centers for Medicare and Medicaid Services, Department of Health and Human Services, who was introduced by Tommy G. Thompson, Secretary of Health and Human

Services; Brian Carlton Roseboro, of New Jersey, to be an Under Secretary of the Treasury, Donald L. Korb, of Ohio, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel, Department of the Treasury, and Mark J. Warshawsky, of Maryland, to be an Assistant Secretary of the Treasury, after each nominee testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Measures Introduced: One public bill, H.R. 3913, was introduced. **Page 3524**

Additional Cosponsors: **Page 3525**

Reports Filed: Reports were filed today as follows:

H.R. 339, to prevent frivolous lawsuits against the manufacturers, distributors, or sellers of food or non-alcoholic beverage products that comply with applicable statutory and regulatory requirements, amended (H. Rept. 108–432). **Page 3524**

Speaker: Read a letter from the Speaker wherein he appointed Representative Cole to act as Speaker Pro Tempore for today. **Page 3522**

Senate Message: Message from the Senate appears today on page 3522.

Quorum Calls—Votes: There were no votes or quorum calls today.

Adjournment: The House met at 10 a.m. and adjourned at 10:05 a.m.

Committee Meetings

DISTRICT OF COLUMBIA—ENSURING SAFE DRINKING WATER

Committee on Government Reform: On March 5, the Committee held a hearing entitled "Public Confidence, Down the Drain: The Federal Role in Ensuring Safe Drinking Water in the District of Columbia." Testimony was heard from the following officials of the EPA: Benjamin H. Grumbles, Acting Assistant Administrator, Office of Water; and Donald S. Welsh, Regional Administrator, Region III; Thomas P. Jacobus, General Manager, Washington Aqueduct, U.S. Army Corps of Engineers, Department of the Army; Glenn S. Gerstell, Chairman, District of Columbia Water and Sewer Authority; and public witnesses.

IRAQI WEAPONS OF MASS DESTRUCTION

Permanent Select Committee on Intelligence: On March 5, the Committee met in executive session to hold a hearing on Iraqi Weapons of Mass Destruction. Testimony was heard from departmental witnesses.

Joint Meetings

EMPLOYMENT SITUATION

Joint Economic Committee: On Friday, March 5, Committee concluded hearings to examine the employment situation for February 2004, focusing on economic growth, business activity in the manufacturing and service industries, the Gross Domestic Product (GDP), job creation and loss, and discouraged workers—those who have stopped seeking work because of discouragement over their job prospects, after receiving testimony from Kathleen P. Utgoff, Commissioner, Bureau of Labor Statistics, Department of Labor.

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Tuesday, March 9, 2004

Senate

Chamber Action

Routine Proceedings, pages 3657–3749

Measures Introduced: Ten bills and six resolutions were introduced, as follows: S. 2177–2186, S. Res. 312–316, and S. Con. Res. 97. **Page 3722**

Measures Reported:

S. 1601, to amend the Indian Child Protection and Family Violence Prevention Act to provide for the reporting and reduction of child abuse and family violence incidences on Indian reservations, with an amendment in the nature of a substitute. (S. Rept. No. 108–228)

S. 213, to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project, with an amendment. (S. Rept. No. 108–229)

S. 524, to expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862, with an amendment in the nature of a substitute. (S. Rept. No. 108–230)

S. 943, to authorize the Secretary of the Interior to enter into 1 or more contracts with the city of Cheyenne, Wyoming, for the storage of water in the Kendrick Project, Wyoming, with an amendment in the nature of a substitute. (S. Rept. No. 108–231)

S. 960, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in the State of Hawaii and to amend the Hawaii Water Resources Act of 2000 to modify the water resources study, with amendments. (S. Rept. No. 108–232)

S. 1107, to enhance the Recreational Fee Demonstration Program for the National Park Service, with amendments. (S. Rept. No. 108–233)

S. 1167, to resolve the boundary conflicts in Barry and Stone Counties in the State of Missouri, with an amendment in the nature of a substitute. (S. Rept. No. 108–234)

S. 1516, to further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the commissioner of Reclamation, to carry out an assessment and demonstration program to assess potential increases in water availability for Bureau of Reclamation projects and other uses through control of salt cedar and Russian olive, with an amendment in the nature of a substitute (S. Rept. No. 108–235)

S. 1576, to revise the boundary of Harpers Ferry National Historical Park. (S. Rept. No. 108–236)

S. 1577, to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming. (S. Rept. No. 108–237)

S. 1848, to amend the Bend Pine Nursery Land Conveyance Act to direct the Secretary of Agriculture to sell the, Bend Pine Nursery Administration Site in the State of Oregon, with an amendment in the nature of a substitute. (S. Rept. No. 108–238)

S. 2178, to make technical corrections to laws relating to certain units of the National Park System and to National Park programs. (S. Rept. No. 108–239)

H.R. 408, to provide for expansion of Sleeping Bear Dunes National Lakeshore. (S. Rept. No. 108–240)

H.R. 417, to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California. (S. Rept. No. 108–241)

H.R. 708, to require the conveyance of certain National Forest System lands in Mendocino National Forest, California, to provide for the use of the proceeds from such conveyance for National Forest purposes. (S. Rept. No. 108–242)

H.R. 856, to authorize the Secretary of the Interior to revise a repayment contract with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, Texas. (S. Rept. No. 108–243)

H.R. 1598, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in projects within the San Diego Creek Watershed, California. (S. Rept. No. 108–244) **Page 3721**

Measures Passed:

Commending Initial Responders: Senate agreed to S. Res. 312, commending the bravery of the initial responders in the Baltimore Harbor water taxi accident of March 6, 2004. **Page 3684**

Commemorating the Late President of Macedonia: Senate agreed to S. Res. 314, commemorating and honoring President Boris Trajkovski. **Page 3741**

International Women's Day: Senate agreed to S. Res. 315, designating March 8, 2004, as "International Women's Day". **Page 3741**

Financial Literacy Month: Senate agreed to S. Res. 316, designating April 2004 as "Financial Literacy Month". **Page 3744**

Child Abuse Awareness: Committee on the Judiciary was discharged from further consideration of S. Res. 299, recognizing, and supporting efforts to enhance the public awareness of, the social problem of child abuse and neglect, and the resolution was then agreed to. **Page 3745**

Greek Independence Day: Committee on the Judiciary was discharged from further consideration of S. Res. 308, designating March 25, 2004, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy", and the resolution was then agreed to. **Page 3745**

Budget Resolution: Senate continued consideration of S. Con. Res. 95, setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009, taking action on the following amendments proposed thereto: **Pages 3657, 3685**

Rejected:

By 46 yeas to 51 nays (Vote No. 33), Conrad Amendment No. 2704, to establish a 60-vote point of order against the consideration of any direct spending or revenue legislation that would increase the on-budget deficit in any fiscal year until the budget is balanced without counting Social Security surpluses. **Pages 3657, 3685**

By 44 yeas to 53 nays (Vote No. 34), Daschle Amendment No. 2710, to create a reserve fund to allow for an increase in Veterans' medical care by $2.7 billion and lower the national debt by reducing the President's tax breaks for taxpayers with incomes in excess of $1 million a year. **Page 3692**

A unanimous-consent agreement was reached providing for further consideration of the resolution and certain amendments to be proposed thereto, at 9:30 a.m., on Wednesday, March 10, 2004; provided further, that there be 27 hours equally divided remaining for debate under the statutory limit. **Page 3746**

Treaty Approved: The following treaty having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present and having voted in the affirmative, the resolution of ratification was agreed to:

Taxation Convention with Japan (Treaty Doc. 108–14). **Page 3746**

Petitions and Memorials: **Page 3717**

Executive Reports of Committees: **Page 3722**

Additional Cosponsors: **Page 3723**

Statements on Introduced Bills/Resolutions: Page 3723

Additional Statements: Page 3715

Amendments Submitted: Page 3735

Authority for Committees to Meet: Page 3740

Privilege of the Floor: Page 3740

Record Votes: Two record votes were taken today. (Total—34) Pages 3688, 3705

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:16 p.m., until 9:30 a.m., on Wednesday, March 10, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 3746.)

Committee Meetings

APPROPRIATIONS: BORDER AND TRANSPORTATION SECURITY

Committee on Appropriations: Subcommittee on Homeland Security concluded a hearing to examine proposed budget estimates for fiscal year 2005 for border and transportation security, after receiving testimony from Asa Hutchinson, Under Secretary of Homeland Security for Border and Transportation Security.

APPROPRIATIONS: DEPARTMENT OF TRANSPORTATION

Committee on Appropriations: Subcommittee on Transportation, Treasury and General Government concluded a hearing to examine proposed budget estimates for fiscal year 2005 for Department of Transportation, after receiving testimony from Norman Y. Mineta, Secretary of Transportation.

WORLDWIDE THREATS

Committee on Armed Services: Committee concluded a hearing in open and closed sessions to examine current and future worldwide threats to the national security of the United States, after receiving testimony from George J. Tenet, Director, Cental Intelligence Agency; and Vice Admiral Lowell E. Jacoby, USN, Director, Defense Intelligence Agency.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded a hearing to examine the Defense Authorization Request for Fiscal Year 2005, focusing on military readiness programs, after receiving testimony from General George W. Casey, Jr., USA, Vice Chief of Staff, U.S. Army; Admiral Michael G. Mullen, USN, Vice Chief of Naval Operations, United States Navy; General T. Michael Moseley, USAF, Vice Chief of Staff, U.S. Air Force; and Lieutenant General Jan C. Huly, USMC, Deputy Commandant of the Marine Corps, Plans, Policies, and Operations, U.S. Marine Corps.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 2056, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language, with amendments;

S. 1164, to provide for the development and coordination of a comprehensive and integrated United States research program that assists the people of the United States and the world to understand, assess, and predict human-induced and natural processes of abrupt climate change; and

The nominations of Francis Mulvey, of Maryland, and W. Douglas Buttrey, of Tennessee, both to be a Member of the Surface Transportation Board, Department of Transportation, Linda Morrison Combs, of North Carolina, to be an Assistant Secretary of Transportation, Rhonda Keenum, of Mississippi, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Services, and sundry nominations in the Coast Guard.

WESTERN WATER SUPPLY

Committee on Energy and Natural Resources: Committee on Power and Water concluded a hearing to examine water supply issues in the arid West, focusing on the role of the Federal Government in managing and enhancing water resources, after receiving testimony from Bennett W. Raley, Assistant Secretary of the Interior for Water and Science; Floyd Gaibler, Deputy Under Secretary of Agriculture for Farm and Foreign Agriculture Services; Brigadier General William T. Grisoli, USA, Commander, Northwestern Division, U.S. Army Corps of Engineers; Louis Uccellini, Director, National Centers for Environmental Prediction, National Oceanic and Atmospheric Administration, Department of Commerce; Craig Bell, Western States Water Council, Midvale, Utah; and Tex G. Hall, New Town, North Dakota, on behalf of the National Congress of American Indians.

HISTORIC PRESERVATION

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 1306 and H.R. 1446, bills to introduce the efforts of the California Missions Foundation to restore and repair the Spanish colonial and mission-era missions in the State of California and to preserve the artworks and artifacts of these missions, H.R. 1521, to provide for additional lands to be included within the boundary of the Johnstown Flood National Memorial in the State of Pennsylvania, S. 1430, to direct the Secretary of the Interior to conduct a study of the Baranov Museum in Kodiak, Alaska, for potential inclusion in the National Park System, and S. 1687, to direct the Secretary of the Interior to conduct

a study on the preservation and interpretation of the historic sites of the Manhattan Project for potential inclusion in the National Park System, after receiving testimony from Senator Boxer; Representative Farr; P. Daniel Smith, Special Assistant, National Park Service, Department of the Interior; Mayor Carolyn Floyd, City of Kodiak, Alaska; Walter Costlow, South Fork Fishing and Hunting Club Historical Preservation Society, St. Michael, Pennsylvania; Barry W. Lynn, Americans United for Separation of Church and State, and Cynthia C. Kelly, Atomic Heritage Foundation, both of Washington, D.C.; and Stephen T. Hearst, Board of the California Missions Foundation, San Francisco.

INTERNATIONAL TRADE AGENDA

Committee on Finance: Committee concluded a hearing to examine the Administration's international trade agenda, after receiving testimony from Robert B. Zoellick, United States Trade Representative.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nominations of Mark B. McClellan, of the District of Columbia, to be Administrator of the Centers for Medicare and Medicaid Services, Department of Health and Human Services, Brian Carlton Roseboro, of New Jersey, to be an Under Secretary of the Treasury, and Mark J. Warshawsky, of Maryland, to be an Assistant Secretary of the Treasury.

IRAQ

Committee on Foreign Relations: Committee met in closed session to receive a briefing on the transition to sovereignty relating to Iraq from Marc I. Grossman, Under Secretary for Political Affairs, Francis J. Ricciardone, Ambassador to the Phillippines, Coordinator for Iraq Transition, and Major General Charles E. Williams, USA (Ret.), Director, Overseas Buildings Operations, all of the Department of State; and Lieutenant General Claude Kicklighter, U.S. Army (Ret.), CPA Transition Chief, Baghdad, Iraq.

POSTAL REFORM

Committee on Governmental Affairs: Committee resumed hearings to examine U.S. Postal Service reform issues, focusing on sustaining the 9 million jobs in the $900 billion mailing industry, after receiving testimony from Ann S. Moore, Time, Inc., New York, New York; Mark Angelson, RR Donnelley, Chicago, Illinois; Christopher W. Bradley, Cuddledown, Inc., Portland, Maine; Max Heath, Landmark Community Papers, Shelbyville, Kentucky, on behalf of the National Newspaper Association; William J. Ihle, Bear Creek Corporation, Medford, Oregon, on behalf of Harry and David and Jackson and Perkins; and Shelley Dreifuss, Postal Rate Commission, Washington, D.C.

YEAR ROUND COLLEGE

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine advantages and impediments in relation to a year round college calendar, focusing on the costs of higher education, financial aid, Pell Grants, and Stafford Loans, after receiving testimony from Stephen Joel Trachtenberg, George Washington University, Washington, D.C.; India McKinney, Vanderbilt University, Nashville, Tennessee; Michael L. Lomas, Dillard University, New Orleans, Louisiana, on behalf of the United Negro College Fund; Virginia S. Hazen, Dartmouth College, Hanover, New Hampshire; and Margaret Heisel, University of California, Berkeley.

ERIC AND BRIAN SIMON ACT

Committee on Veterans' Affairs: Committee concluded a hearing to examine S. 1509, to amend title 38, United States Code, to provide a gratuity to veterans, their spouses, and children who contract HIV or AIDS as a result of a blood transfusion relating to a service-connected disability, after receiving testimony Douglas B. Simon and Eric M. Simon, both of Veseli, Minnesota.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

MEDICARE DRUG DISCOUNT CARD

Special Committee on Aging: Committee concluded a hearing to examine the new Medicare drug discount card, focusing on consumer savings, beneficiary education, implementation and outreach to low-income seniors, and how the new cards will work with existing discount programs, after receiving testimony from Dennis Smith, Acting Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Craig L. Fuller, National Association of Chain Drug Stores, Alexandria, Virginia; Forest Harper, Pfizer, Inc., New York, New York; and James Firman, National Council on Aging, Karen Ignagni, American Association of Health Plans, and Mark Merritt, Pharmaceutical Care Management Association, all of Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 3914–3924; and; 1 resolution, H. Res. 551, were introduced.

Page 3800

Additional Cosponsors: Page 3801

Reports Filed: Reports were filed today as follows:

S. 1881, to amend the Federal Food, Drug, and Cosmetic Act to make technical corrections relating to the amendments by the Medical Device User Fee and Modernization Act of 2002, amended (H. Rept. 108–433);

H.R. 3717, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language, amended (H. Rept. 108–434); and

H. Res. 552, providing for consideration of H.R. 339, to prevent frivolous lawsuits against the manufacturers, distributors, or sellers of food or non-alcoholic beverage products that comply with applicable statutory and regulatory requirements (H. Rept. 108–435). **Page 3800**

Speaker: Read a letter from the Speaker wherein he appointed Representative Burns to act as Speaker Pro Tempore for today. **Page 3750**

Recess: The House recessed at 12:53 p.m. and reconvened at 2 p.m. **Page 3752**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Sense of the House regarding the earthquake that occurred in San Luis Obispo Co., CA on 12/22/03: H. Res. 519, expressing the sense of the House of Representatives with respect to the earthquake that occurred in San Luis Obispo Co., CA, on 12/22/03, by a ⅔ yea-and-nay vote of 404 yeas with none voting "nay", Roll No. 42; **Pages 3754, 3767**

Army Staff Sgt. Lincoln Hollinsaid Malden Post Office Building Designation Act: H.R. 3536, to designate the facility of the United States Postal Service located at 210 Main Street in Malden, Illinois, as the "Army Staff Sgt. Lincoln Hollinsaid Malden Post Office"; **Page 3756**

Army Pvt. Shawn Pahnke Manhattan Post Office Building Designation Act: H.R. 3537, to designate the facility of the United States Postal Service located at 185 State Street in Manhattan, Illinois, as the "Army Pvt. Shawn Pahnke Manhattan Post Office"; **Page 3758**

Marine Capt. Ryan Beaupre Saint Anne Post Office Building Designation Act: H.R. 3538, to designate the facility of the United States Postal Service located at 201 South Chicago Avenue in Saint Anne, Illinois, as the "Marine Capt. Ryan Beaupre Saint Anne Post Office"; **Page 3759**

Congratulating the Detroit Shock: H. Res. 392, congratulating the Detroit Shock for winning the 2003 Women's National Basketball Association championship, by a ⅔ yea-and-nay vote of 401 yeas with none voting "nay", Roll No. 43; and **Pages 3760, 3768**

Congratulating the San Jose Earthquakes: H. Res. 475, congratulating the San Jose Earthquakes for winning the 2003 Major League Soccer Cup, by a yea-and-nay vote of 399 yeas with none voting "nay", Roll No. 44. **Pages 3761, 3768**

Suspensions—Proceedings Postponed: The House completed debate on the following measures to suspend the rules. Further proceedings were postponed until Wednesday, March 10.

Medical Devices Technical Corrections Act: S. 1881, amended, to amend the Federal Food, Drug, and Cosmetic Act to make technical corrections relating to the amendments by the Medical Device User Fee and Modernization Act of 2002; and **Page 3763**

Sense of Congress that "Kids Love a Mystery" is a program that works and should be encouraged: H. Con. Res. 373, expressing the sense of Congress that Kids Love a Mystery is a program that promotes literacy and should be encouraged. **Page 3766**

Recess: The House recessed at 3:31 p.m. and reconvened at 6:30 p.m. **Page 3767**

Presidential Messages: Read a letter from the President wherein he transmitted a report on implementation of PL 107–228 concerning Russian Debt Reduction for Nonproliferation—referred to the Committee on International Relations and ordered printed (108–171); and **Page 3753**

Read a letter from the President wherein he notified Congress of his intention to enter into a free trade agreement with the Kingdom of Morocco—referred to the Committee on Ways and Means and ordered printed (108–172). **Page 3754**

Senate Message: Message from the Senate appears today on page 3750.

Senate Referral: S. 741 was referred to the Committee on Energy and Commerce and S. Con. Res. 96 was referred to the Committee on Government Reform. **Page 3750**

Amendments: Amendments ordered printed pursuant to the rule appear on page 3802.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages 3767–68. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:55 p.m.

Committee Meetings

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Teachers and Math and Science Education. Testimony was heard from Vicki Bernstein, Director, Alternative Certification, Department of Education, New York City; and public witnesses.

NONPROLIFERATION: ASSESSING MISSILE TECHNOLOGY EXPORT CONTROLS

Committee on Government Reform: Subcommittee on National Security, Emergency Threats and International Relations held a hearing on Nonproliferation: Assessing Missile Technology Export Controls. Testimony was heard from Joseph A. Christoff, Director, International Affairs and Trade Team, GAO; Matthew S. Borman, Deputy Assistant Secretary, Export Administration, Department of Commerce; Robert W. Maggi, Deputy Assistant Secretary, Directorate Defense Trade Controls, Department of State; the following officials of the Department of Defense: Lt. Gen. Tome H. Walters, Jr., USAF, Defense Security Cooperation Agency; and Lisa Bronson, Deputy Under Secretary, Technology Security Policy and Counterproliferation; Andrew Feickert, Specialist, National Defense, Congressional Research Service, Library of Congress; and a public witness.

OVERSIGHT—DEPARTMENT OF JUSTICE

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held an oversight hearing on the Department of Justice: Executive Office for United States Attorneys, Civil Division, Environment and Natural Resources Division, Executive Office for United States Trustees, and Office of the Solicitor General. Testimony was heard from the following officials of the Department of Justice: Thomas Sansonetti, Assistant Attorney General, Environment and Natural Resources Division; Peter Keisler, Assistant Attorney General, Civil Division; Guy Lewis, Director, Executive Office for United States Attorneys; and Lawrence Friedman, Director, Executive Office for United States Trustees.

PERSONAL RESPONSIBILITY IN FOOD CONSUMPTION ACT

Committee on Rules: Granted, by voice vote, a modified open rule providing one hour of general debate on H.R. 339, Personal Responsibility in Food Consumption Act, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment, and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments to the committee amendment that are pre-printed in the Congressional Record or are pro-forma amendments for the purpose of debate. The rule provides that each amendment printed in the Congressional Record may be offered only by the Member who caused it to be printed or a designee, and that each amendment shall be considered as read. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives KELLER and WATT.

UNINSURED

Committee on Ways and Means: Subcommittee on Health held a hearing on the Uninsured. Testimony was heard from Douglas Holtz-Eakin, Director, CBO; and public witnesses.

Joint Meetings

PENSION FUNDING EQUITY ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 3108, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions, but did not complete action thereon, and recessed subject to the call.

♦♦♦♦♦♦♦♦♦♦♦♦

Wednesday, March 10, 2004

Senate

Chamber Action

Routine Proceedings, pages 3905–4031

Measures Introduced: Seven bills and one resolution were introduced, as follows: S. 2187–2193, and S. Res. 317. **Page 3986**

Measures Reported:

S. 1904, to designate the United States courthouse located at 400 North Miami Avenue in Miami, Florida, as the "Wilkie D. Ferguson, Jr. United States Courthouse".

S. 2022, to designate the Federal building located at 250 West Cherry Street in Carbondale, Illinois the "Senator Paul Simon Federal Building".

S. 2043, to designate a Federal building in Harrisburg, Pennsylvania, as the "Ronald Reagan Federal Building". **Page 3986**

Measures Passed:

Congratulating University of Delaware Men's Football Team: Committee on the Judiciary was discharged from further consideration of H. Con. Res. 355, congratulating the University of Delaware men's football team for winning the National Collegiate Athletic Association I–AA national championship, and the resolution was then agreed to. **Page 4025**

Budget Resolution: Senate continued consideration of S. Con. Res. 95, setting forth the congressional budget for

the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009, taking action on the following amendments proposed thereto: **Page 3905**

Adopted:

Graham (SC) Modified Amendment No. 2731, to enhance military readiness by creating a reserve fund to provide TRICARE benefits for members of the Selected Reserve of the Ready Reserve, fully offset through reductions including unobligated balances from Iraqi reconstruction, and a reserve fund to provide Montgomery GI Bill benefits to members of the Selected Reserves. **Page 3934**

By 95 yeas to 4 nays (Vote No. 37), Warner Amendment No. 2742, to increase the amounts provided for national defense for fiscal year 2005 for new budget authority and for outlays. **Pages 3948, 3959**

By 51 yeas to 48 nays (Vote No. 38), Feingold Amendment No. 2748, to fully reinstate the pay-as-you-go requirement. **Pages 3951, 3960**

By 53 yeas to 43 nays (Vote No. 39), Baucus Amendment No. 2751, to strike the outlay reconciliation instruction to the Committee on Finance. **Pages 3960, 3973**

Rejected:

By 46 yeas to 52 nays (Vote No. 35), Murray Amendment No. 2719, to fully fund the No Child Left Behind Act for fiscal year 2005 and lower the national debt by closing tax loopholes. **Page 3909**

By 47 yeas to 52 nays (Vote No. 36), Byrd Amendment No. 2735, to provide for consideration of tax cuts outside of reconciliation. **Pages 3939, 3958**

By 46 yeas to 51 nays (Vote No. 40), Nelson (FL) Amendment No. 2745, to create a reserve fund to allow for an increase in Veterans' medical care by $1.8 billion by eliminating abusive tax loopholes. **Page 3972**

Withdrawn:

Voinovich Amendment No. 2705, to establish a 60-vote point of order relative to the Social Security Trust Fund. **Pages 3967, 3973**

Pending:

Corzine Amendment No. 2777, to eliminate tax breaks for those with incomes greater than $1 million and reserve the savings to prevent future cuts in Social Security benefits. **Page 3974**

A unanimous-consent agreement was reached providing for further consideration of the resolution, at 9:30 a.m., on Thursday, March 11, 2004; provided further, that there be 14 hours equally divided remaining for debate under the statutory limit. **Page 4026**

Messages From the House: **Page 3986**

Measures Referred: **Page 3986**

Measures Read First Time: **Pages 3986, 4026**

Executive Reports of Committees: **Page 3986**

Additional Cosponsors: **Page 3986**

Statements on Introduced Bills/Resolutions: **Page 3988**

Additional Statements: **Page 3984**

Amendments Submitted: **Page 4001**

Notices of Hearings/Meetings: **Page 4023**

Authority for Committees to Meet: **Page 4024**

Privilege of the Floor: **Page 4025**

Record Votes: Six record votes were taken today. (Total—40) **Pages 3933, 3959, 3960, 3973, 3974**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 11:02 p.m., until 9:30 a.m., on Thursday, March 11, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 4027.)

Committee Meetings

APPROPRIATIONS: DEPARTMENT OF DEFENSE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the U.S. Navy and U.S. Marine Corps, after receiving testimony from Gordon R. England, Secretary of the Navy; Admiral Vern Clark, U.S. Navy, Chief of Naval Operations; and General Michael W. Hagee, Commandant of the Marine Corps, U.S. Marine Corps.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded open and closed hearings to examine the Defense Authorization Request for Fiscal Year 2005, focusing on the defense nuclear nonproliferation programs of the Department of Energy and the Cooperative Threat Reduction programs of the Department of Defense, after receiving testimony from Paul M. Longsworth, Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration, Department of Energy; and Lisa Bronson, Deputy Under Secretary of Defense for Technology Security Policy and Counterproliferation.

DEPARTMENT OF DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Seapower concluded a hearing to examine the proposed Department of Defense authorization request for fiscal year 2005 and the Future Years Defense Program, focusing on the posture of the U.S. Transportation Command, after receiving testimony from General John W. Handy, USAF, Commander, U.S. Transportation Command, U.S. Air Force; Major General Ann E. Dunwoody, USA, Commanding General, Surface Deployment and Distribution Command, U.S. Army; and Vice Admiral David L. Brewer III, USN, Commander, Military Sealift Command, U.S. Navy.

MUTUAL FUND INDUSTRY

Committee on Banking, Housing, and Urban Affairs: Committee held hearings to examine current investigations and regulatory actions regarding the mutual fund industry, receiving testimony from David M. Walker, Comptroller General of the United States, General Accounting Office; Lori A. Richards, Director, Office of Compliance Inspections and Examinations, and Paul F. Roye, Director, Division of Investment Management, both of the U.S. Securities and Exchange Commission; and Mary L. Schapiro, NASD, Washington, D.C.

Hearing recessed subject to the call of the chair.

ARGENTINA

Committee on Banking, Housing, and Urban Affairs: Subcommittee on International Trade and Finance concluded a hearing to examine Argentina's current economic and political situation, focusing on the bilateral relationship between the United States and Argentina, after receiving testimony from Roger F. Noriega, Assistant Secretary of State for Western Hemisphere Affairs; Randal K. Quarles, Assistant Secretary of Treasury for International Affairs; Adam Lerrick, Carnegie Mellon University Graduate School of Industrial Administration, Pittsburgh, Pennsylvania; and Michael Mussa, Institute of International Economics, Washington, D.C.

STEROIDS AND SPORTS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the scope of steroid use in professional and amateur sports, focusing on certain drug treatment and prevention programs, after receiving testimony from Senator Biden; Representative Sweeney; Allan H. Selig, Major League Baseball, Milwaukee, Wisconsin; Donald M. Fehr, Major League Baseball Players Association, and Paul J. Tagliabue, National Football League, both of New York, New York; Eugene Upshaw, National Football League Players Association, Washington, D.C.; and Terrance P. Madden, United States Anti-Doping Agency, Colorado Springs, Colorado.

MARS EXPLORATION PROGRAM

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology and Space concluded a hearing to examine NASA/Mars exploration program, focusing on the information learned from the recent landings of twin Mars Exploration Rovers, Spirit and Opportunity, after receiving testimony from Edward J. Weiler, Associate Administrator for Space Science, Orlando Figueroa, Director of Solar System Exploration, and James Garvin, Lead Scientist for Mars and Lunar Exploration Programs, all of National Aeronautics and Space Administration.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 1307, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to assist in the implementation of fish passage and screening facilities at non-Federal water projects, with an amendment in the nature of a substitute;

S. 1355, to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon, with an amendment in the nature of a substitute;

S. 1421, to authorize the subdivision and dedication of restricted land owned by Alaska Natives, with an amendment in the nature of a substitute;

H.R. 2696, to establish Institutes to demonstrate and promote the use of adaptive ecosystem management to reduce the risk of wildfires, and restore the health of fire-adapted forest and woodland ecosystems of the interior West; and

The nomination of Susan Johnson Grant, of Virginia, to be Chief Financial Officer, Department of Energy.

PUBLIC LANDS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests to examine S. 1354, to resolve certain conveyances and provide for alternative land selections under the Alaska Native Claims Settlement Act related to Cape Fox Corporation and Sealaska Corporation, S. 1575 and H.R. 1092, bills to direct the Secretary of Agriculture to sell certain parcels of Federal land in Carson City and Douglas County, Nevada, S. 1778, to authorize a land conveyance between the United States and the City of Craig, Alaska, S. 1819 and H.R. 272, bills to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries, and H.R. 3249, to extend the term of the Forest Counties Payments Committee, after receiving testimony from Mark Rey, Under Secretary of Agriculture for Natural Resources and Environment; Tom Lonnie, Assistant Director, Minerals, Realty and Resource Protection, Bureau of Land Management, Department of the Interior; Mayor Dennis Watson, Craig, Alaska; Marilyn Blair, Cape Fox Corporation, Ketchikan, Alaska; Buck Lindekugel, Southeast Alaska Conservation Council, Juneau; and Dennis E. Wheeler, Coeur d'Alene Mines Corporation, Coeur d'Alene, Idaho.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following bills:

S. 1904, to designate the United States courthouse located at 400 North Miami Avenue in Miami, Florida, as the "Wilkie D. Ferguson, Jr. United States Courthouse";

S. 2022, to designate the Federal building located at 250 West Cherry Street in Carbondale, Illinois the "Senator Paul Simon Federal Building"; and

S. 2043, to designate a Federal building in Harrisburg, Pennsylvania, as the "Ronald Reagan Federal Building".

EPA BUDGET

Committee on Environment and Public Works: Committee concluded a hearing to examine the President's proposed fiscal year 2005 budget request for the Environmental Protection Agency, after receiving testimony from Michael O. Leavitt, Administrator, Environmental Protection Agency.

U.S.-MIDDLE EAST ECONOMIC POLICY

Committee on Finance: Committee concluded a hearing to examine United States economic and trade policy in the Middle East, focusing on the impact of Free Trade Agreements (FTA), commercial diplomacy, private sector development and trade promotion, information technology for business development, financial reform and the development of capital markets, the Generalized System of Preferences (GSP), and promotion of good business practices and improving the investment climate, after receiving testimony from Senator McCain; Grant D. Aldonas, Under Secretary of Commerce for International Trade; Alan P. Larson, Under Secretary of State for Economic, Business, and Agricultural Affairs; David L. Mack, Middle East Institute, and William A. Maxwell, Hewlett-Packard Company, both of Washington, D.C.; and Doug Boisen, National Corn Growers Association, Minden, Nebraska.

NONPROLIFERATION AND ARMS CONTROL

Committee on Foreign Relations: Committee concluded a hearing to examine nonproliferation and arms control issues, focusing on strategic choices, weapons of mass destruction (WMD), and the Nuclear Nonproliferation Treaty, after receiving testimony from William J. Perry, Stanford University Center for International Security and Cooperation, Stanford, California, former Secretary of Defense; Arnold Kanter, Scowcroft Group, Washington, D.C.; and Ashton B. Carter, Harvard University Kennedy School of Government, Cambridge, Massachusetts.

HAITI

Committee on Foreign Relations: Subcommittee on Western Hemisphere, Peace Corps, and Narcotics Affairs concluded a hearing to examine the future of U.S.-Haitian relations, focusing on exit strategies and troop departure deadlines, free elections, and economic reforms, after receiving testimony from Senators DeWine and Graham (FL); Representatives Cummings, and Waters; Roger Noriega, Assistant Secretary of State, Bureau of Western Hemisphere Affairs; Adolfo Franco, Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development; James Dobbins, RAND Corporation, Lawrence Pezzullo, former U.S. Special Envoy to Haiti, Robert Maguire, Trinity College, and Michael Heinl, all of Washington, D.C.

INDIAN TRUST REFORM

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the proposed reorganization of major agencies and functions related to Indian trust reform matters within the Department of the Interior, after receiving testimony from Senator Daschle; Dave Anderson, Assistant Secretary of the Interior for Indian Affairs, and Ross O. Swimmer, Special Trustee for American Indians, both of the Department of the Interior; Tex G. Hall, National Congress of American Indians, Washington, D.C.; Joe Shirley, Jr., Navajo Nation, Window Rock, Arizona; Edward K. Thomas, Central Council of the Tlingit and Haida Indian Tribes of Alaska, Juneau; Harold Frazier, Cheyenne River Sioux Tribe, Eagle Butte, South Dakota, on behalf of the Great Plains Tribal Chairman's Association; and Clifford Lyle Marshall, Hoopa Valley Tribal Council, Hoopa, California.

FLAG DESECRATION

Committee on the Judiciary: Committee concluded a hearing to examine S.J. Res. 4, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States, after receiving testimony from Daniel J. Bryant, Assistant Attorney General for Legal Policy, Department of Justice; Major General Patrick H. Brady, USA (Ret.), Citizens Flag Alliance, Inc., Sumner, Washington; Lawrence J. Korb, Center for American Progress, Washington, D.C., former Assistant Secretary of Defense; John Andretti, NASCAR Nextel Cup Series, Mooresville, North Carolina; Gary E. May, University of Southern Indiana, Evansville; and Richard D. Parker, Harvard University Law School, Cambridge, Massachusetts.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Peter W. Hall, of Vermont, to be United States Circuit Judge for the Second Circuit, who was introduced by Senators Leahy and Jeffords; Jane J. Boyle, to be United States District Judge for the Northern District of Texas, who was introduced by Senators Hutchison and Cornyn; Marcia G. Cooke, to be United States District Judge for the Southern District of Florida, who was introduced by Senator Bill Nelson; and Walter D. Kelley, Jr., to be United States District Judge for the Eastern District of Virginia, who was introduced by Senators Warner and Allen, after each nominee testified and answered questions in their own behalf.

SECTION 527 ORGANIZATIONS AND CAMPAIGN FINANCE

Committee on Rules and Administration: Committee concluded a hearing to examine the scope and operation of certain tax-exempt organizations registered under Section 527 of the Internal Revenue Code, focusing on their impact on campaign finance laws and federal elections, after receiving testimony from Senators Feingold and Senator

McCain; Lawrence Noble, Center for Responsive Politics, Washington, D.C.; and Edward B. Foley, Ohio State University Moritz College of Law, Columbus.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 3925–3935; and; 5 resolutions, H. Con. Res. 380–381, and H. Res. 553, 555–556 were introduced. **Page 3902**

Additional Cosponsors: **Page 3903**

Reports Filed: Reports were filed today as follows:

H. Res. 554, providing for consideration of H.R. 3717, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language (H. Rept. 108–436). **Page 3902**

Speaker: Read a letter from the Speaker wherein he appointed Representative Rehberg to act as Speaker Pro Tempore for today. **Page 3819**

Chaplain: The prayer was offered today by Rev. Dr. William J.P. Doubek III, National Chaplain, The American Legion in Washington DC. **Page 3819**

Journal: The House agreed to the Speaker's approval of the Journal of Tuesday, March 9, by a yea-and-nay vote of 353 yeas to 41 nays with one voting "present", Roll No. 45. **Page 3820**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Medical Devices Technical Corrections Act: Debated on March 9, S. 1881, amended, to amend the Federal Food, Drug, and Cosmetic Act to make technical corrections relating to the amendments by the Medical Device User Fee and Modernization Act of 2002, by a ⅔ yea-and-nay vote of 396 yeas with none voting "nay", Roll No. 46; **Page 3821**

Sense of Congress that "Kids Love a Mystery" is a program that works and should be encouraged: Debated on March 9, H. Con. Res. 373, expressing the sense of Congress that Kids Love a Mystery is a program that promotes literacy and should be encouraged, by a yea-and-nay vote of 388 yeas to 11 nays with one voting "present", Roll No. 47; **Page 3822**

State Justice Institute Reauthorization Act: H.R. 2714, amended, to reauthorize the State Justice Institute; and **Page 3832**

Cooperative Research and Technology Enhancement (CREATE) Act: H.R. 2391, amended, to amend title 35, United States Code, to promote research among universities, the public sector, and private enterprise. **Page 3834**

Agreed to amend the title so as to read: to amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises. **Page 3836**

Providing for an additional temporary extension of programs under the Small Business Act and Small Business Investment Act of 1958 through May 21, 2004: H.R. 3915, amended, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through May 21, 2004. **Page 3882**

Agreed to amend the title so as to read: to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through April 2, 2004. **Page 3883**

Personal Responsibility in Food Consumption Act: The House passed H.R. 339, to prevent frivolous lawsuits against the manufacturers, distributors, or sellers of food or non-alcoholic beverage products that comply with applicable statutory and regulatory requirements, by a yea-and-nay vote of 276 yeas to 139 nays, Roll No. 54. **Page 3836**

Agreed to amend the title so as to read: a bill to prevent legislative and regulatory functions from being usurped by civil liability actions brought or continued against food manufacturers, marketers, distributors, advertisers, sellers, and trade associations for claims of injury relating to a person's weight gain, obesity, or any health condition associated with weight gain or obesity. **Page 3873**

The amendment in the nature of a substitute recommended by the Committee on the Judiciary, now printed in the bill, was considered as an original bill for the purpose of amendment. **Page 3873**

Agreed to:

Sensenbrenner amendment (no. 5 printed in the Congressional Record of March 9) that makes technical changes to the bill and strikes the section that permits civil liability lawsuits to be brought regarding the sale of adulterated food as defined by the Federal Food, Drug, and Cosmetic Act and clarifies that the definition of qualified civil liability action should not be construed to include an action brought under the Federal Trade Commission Act or the Federal Food, Drug, and Cosmetic Act. **Page 3844**

Rejected:

Inslee amendment (no. 3 printed in the Congressional Record of March 9) that sought to permit civil actions against food manufacturers or sellers who negligently violate federal or state statutes regarding the manufacturing, marketing, distribution, advertisement, labeling, or sale of a food product; **Page 3852**

Scott of Virginia amendment (no. 6 printed in the Congressional Record of March 9) that sought to provide that the bill would not apply to an action brought by a

State agency to enforce a State consumer protection law concerning mislabeling or other unfair and deceptive trade practices (rejected by a recorded vote of 177 ayes to 241 noes, Roll No. 48); **Pages 3846, 3859**

Watt amendment (no. 7 printed in the Congressional Record of March 9) that sought to apply the provisions of the bill only to cases brought in federal court (rejected by a recorded vote of 158 ayes to 261 noes, Roll No. 49); **Pages 3848, 3860**

Andrews amendment (no. 2 printed in the Congressional Record of March 9) that sought to permit civil liability suits to be brought in cases related to a food that contains a genetically engineered material unless the labeling for such food bears a statement providing that the food contains such material and the labeling indicates which of the ingredients of the food are or contain such material (rejected by a recorded vote of 129 ayes to 285 noes, Roll No. 50); **Pages 3850, 3861**

Ackerman amendment (no. 1 printed in the Congressional Record of March 9) that sought to change the definition in the bill of a "manufacturer" and "seller" so that it does not include any slaughtering, packing, meat canning, rendering, or similar establishment that manufactures or distributes for human consumption any cattle, sheep, swine, goats, or horses, mules, or other equines, that, at the point of inspection, are unable to stand or walk unassisted at such establishment (rejected by a recorded vote of 141 ayes to 276 noes, Roll No. 51); **Pages 3855, 3861**

Lampson amendment (no. 4 printed in the Congressional Record of March 9) that sought to provide that the bill would not apply to an action brought by, or on behalf of, a child or person injured at or before the age of 8, against a seller that, as part of a chain of outlets at least 20 of which do business under the same trade name, markets qualified products to minors at or under the age of 8; **Page 3862**

Jackson-Lee amendment (no. 9 printed in the Congressional Record of March 9) that sought to prohibit civil lawsuits by a food manufacturer or seller or trade association against an individual; **Page 3864**

Jackson-Lee amendment (no. 10 printed in the Congressional Record of March 9) that sought to provide that the bill would not apply to civil actions alleging that a product claiming to assist in weight loss caused heart disease, heart damage, primary pulmonary hypertension, neuropsychologocal damage, or any other complication which may also be generally associated with a person's weight gain or obesity (rejected by a recorded vote of 166 ayes to 250 noes, Roll No. 52); and **Pages 3866, 3871**

Watt amendment (no. 8 printed in the Congressional Record of March 9) that sought to strike the section of the bill that dismisses all civil liability actions pending at the time of the bill's enactment (by a recorded vote of 164 ayes to 249 noes, Roll No. 53). **Pages 3867, 3872**

H. Res. 552, the rule providing for consideration of the bill was agreed to by a voice vote. **Page 3823**

Committee Election: The House agreed to H. Res. 553, electing Representatives Tiberi and Harris to the Committee on Government Reform. **Page 3873**

Suspensions—Proceedings Postponed: The House completed debate on the following measures to suspend the rules. Further proceedings were postponed until Thursday, March 11.

Commending India on its celebration of Republic Day: H. Con. Res. 15, commending India on its celebration of Republic Day; and **Page 3874**

Expressing the condolences of the House for the untimely death of Macedonian President Boris Trajkovski: H. Res. 540, expressing the condolences and deepest sympathies of the House of Representatives for the untimely death of Macedonian President Boris Trajkovski. **Page 3877**

National Prison Rape Reduction Commission: The Speaker announced his appointment of Pat Nolan of Leesburg, VA to the National Prison Rape Reduction Commission. **Page 3883**

Recess: The House recessed at 6:46 p.m. and reconvened at 7:43 p.m. **Page 3882**

Discharge Petition: Representative Turner moved to discharge the Committee on Rules from the consideration of H. Res. 523, providing for consideration of H.R. 594, to amend title II of the Social Security Act to repeal the government pension offset and windfall elimination provisions (Discharge Petition No. 6).

Quorum Calls—Votes: Four yea-and-nay votes and six recorded votes developed during the proceedings today and appear on pages 3821, 3822, 3860, 3861, 3862, 3871, 3872, and 3873. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:32 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Research, Education and Extension. Testimony was heard from the following officials of the USDA: Joseph J. Jen, Under Secretary, Education and Economics; Edward B. Knipling, Acting Administrator, Agricultural Research Service; Colien Hefferan, Administrator, Cooperative State Research, Education and Extension Service; Susan E. Offutt, Administrator, Economic Research Service; R. Ronald Bosecker, Administrator, National Agricultural Statistics Services; and Stephen B. Dewhurst, Budget Officer.

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies held a hearing on Department of State, Administration of Foreign Affairs. Testimony was heard from the following officials of the Department of State: Richard L. Armitage, Deputy Secretary; and Grant Green, Under Secretary, Management.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Army Budget Overview. Testimony was heard from the following officials of the Department of the Army: Les Brownlee, Acting Secretary; and Gen. Peter Schoomaker, USA, Chief of Staff.

The Subcommittee also met in executive session to hold a hearing on Army Acquisition Programs. Testimony was heard from the following officials of the Department of the Army: Gen. Claude M. Boulton, USA, Assistant Secretary Acquisitions, Logistics and Technology; and Brig. Gen. Jeffrey Sorenson, USA, Deputy, Systems Management to the Assistant Secretary of the Army.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on the U.S. Army Corps of Engineers. Testimony was heard from John Paul Woodley, Assistant Secretary of the Army (Civil Works) and the following officials of the U.S. Army Corps of Engineers: LTG. Robert B. Flowers, USA, Chief, Engineers; MG. Carl A. Strock, Director, Civil Works; and Robert F. Vining, Chief, Programs Management Division, Civil Works Directorate.

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing and Related Programs held a hearing on the Secretary of State. Testimony was heard from Colin L. Powell, Secretary of State.

INTERIOR AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior and Related Agencies held a hearing on Indian Health Services. Testimony was heard from Charles W. Grim, D.D.S., Director, Indian Health Services, Department of Health and Human Services.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on the Centers for Medicare and Medicaid Services. Testimony was heard from Dennis Smith, Acting Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services.

The Subcommittee also held a hearing on the Agency for Healthcare Research and Quality. Testimony was heard from Carolyn Clancy, M.D., Director, Agency for Healthcare Research and Quality, Department of Health and Human Services.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on Budget Overview. Testimony was heard from the following officials of the Department of Defense: Dove S. Zakheim, Under Secretary, Comptroller/Chief Financial Officer; and Raymond F. DuBois, Deputy Under Secretary, Installations and Environment.

TRANSPORTATION, TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury and Independent Agencies held a hearing on GSA. Testimony was heard from Stephen A. Perry, Administrator, GSA.

FISCAL YEAR 2005 NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—TOTAL FORCE ADEQUACY

Committee on Armed Services: Subcommittee on Total Force held a hearing on the Fiscal Year 2005 National Defense Authorization Budget Request on the Adequacy of the Total Force. Testimony was heard from the following officials of the Department of Defense: Lt. Gen. James E. Cartwright, USMC, Director, Force Structure, Resources and Assessment (J8), Joint Chiefs of Staff; Lt. Gen. Richard A. Cody, USA, Deputy Chief of Staff, G–3, Headquarters; and Lt. Gen. Franklin L. Hagenbeck, USA, Deputy Chief of Staff, G1, Headquarters, both with the Department of the Army; Vice Adm. Kevin P. Green, USN, Deputy Chief of Naval Operations, Plans, Policy and Operations, Headquarters; and Vice Adm. Gerald Hoewing, USN, Chief of Naval Personnel and Deputy Chief of Naval Operations, Manpower and Personnel, Headquarters, both with the Department of the Navy; Lt. Gen. Duncan J. McNabb, USAF, Deputy Chief of Staff, Plans and Programs, Headquarters; and Lt. Gen. Richard Brown, USAF, Deputy Chief of Staff, Personnel, Headquarters, both with the Department of the Air Force; Lt. Gen. Jan C. Huly, USMC, Deputy Commandant, Plans, Policies and Operations, Headquarters; Lt. Gen. Garry L. Parks, USMC, Deputy Commander, Manpower and Reserve Affairs, Headquarters, both with the U.S. Marine Corps.

CHILD NUTRITION IMPROVEMENT AND INTEGRITY ACT

Committee on Education and the Workforce: Ordered reported, as amended, H.R. 3873, Child Nutrition Improvement and Integrity Act.

HEALTH CARE PRIORITIES REVIEW

Committee on Energy and Commerce: Held a hearing entitled "A Review of the Administration's FY2005 Health Care Priorities." Testimony was heard from Tommy G. Thompson, Secretary of Health and Human Services.

OVERSIGHT—SATELLITE HOME VIEWER IMPROVEMENT ACT

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "Oversight of the Satellite Home Viewer Improvement Act." Testimony was heard from public witnesses.

COIN AND MEDAL MEASURES

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology approved for full Committee action the following measures: H.R. 1914, Jamestown 400th Anniversary Commemorative Coin Act of 2003; H.R. 2131, To award a congressional gold medal to President Jose Maria Aznar of Spain; H.R. 2768, John Marshall Commemorative Coin Act; and H.R. 3277, Marine Corps 230th Anniversary Commemorative Coin Act.

Prior to this action, the Committee held a hearing on these measures. Testimony was heard from William H. Rehnquist, Chief Justice, United States Supreme Court; Richard L. Armitage, Deputy Secretary, Department of State, J. Steven Griles, Deputy Secretary; Department of the Interior; and Gen. Carl E. Mundy, Jr., USMC (Ret.), 30th Commandant of the Marine Corps.

DEPARTMENT OF HOMELAND SECURITY—MAKING FINANCIAL MANAGEMENT A PRIORITY

Committee on Government Reform: Subcommittee on Government Efficiency and Financial Management held an oversight hearing entitled "Making Financial Management a Priority at DHS." Testimony was heard from the following officials of the Department of Homeland Security: Clark Kent Ervin, Inspector General; and Andrew Maner, Chief Financial Officer.

FUTURE OF U.S.-LIBYAN RELATIONS

Committee on International Relations: Held a hearing on Weapons of Mass Destruction, Terrorism, Human Rights and the Future of U.S.-Libyan Relations. Testimony was heard from the following officials of the Department of State: William J. Burns, Assistant Secretary, Bureau of Near Eastern Affairs; and Paula A. DeSutter, Assistant Secretary, Bureau of Verification and Compliance; and public witnesses.

HUMAN RIGHTS PRACTICES—REVIEW STATE DEPARTMENT ANNUAL REPORT

Committee on International Relations: Held a hearing on Human Rights Practices Around the World: A Review of the State Department's 2003 Annual Report. Testimony was heard from Lorne W. Craner, Assistant Secretary, Bureau of Democracy, Human Rights, and Labor, Department of State; and public witnesses.

OVERSIGHT—FOREST SERVICE BUDGET

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on the Fiscal Year 2005 President's Budget for the Forest Service. Testimony was heard from the following officials of the USDA: Mark Rey, Under Secretary, Natural Resources and Environment; and Dale Bosworth, Chief, Forest Service.

BROADCAST DECENCY ENFORCEMENT ACT

Committee on Rules: Granted, by a vote of 9 to 2, a structured rule providing ninety minutes of general debate on H.R. 3717, Broadcast Decency Enforcement Act of 2004, equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill shall be considered as an original bill for the purpose of amendment, and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments to the committee amendment in the nature of a substitute which are printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Barton and Representatives Upton, Markey, Stupak, Price of North Carolina, Hinchey, Inslee and Watson.

SPACE EXPLORATION—PERSPECTIVES ON PRESIDENT'S VISION

Committee on Science: Held a hearing on Perspectives on the President's Vision for Space Exploration. Testimony was heard from Lennard Fisk, Chairman, Space Studies Board, National Academy of Sciences; and public witnesses.

SPIKE IN METAL PRICES

Committee on Small Business: Held a hearing entitled "Spike in Metal Prices: What Does it Mean for Small Manufacturers?" Testimony was heard from public witnesses.

COAST GUARD AUTHORIZATION ACT

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation approved for full Committee action, as amended, H.R. 3879, Coast Guard Authorization Act for Fiscal Year 2005.

SOCIAL SECURITY NUMBER AND INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER MISMATCHES AND MISUSE

Committee on Ways and Means: Subcommittee on Oversight and the Subcommittee on Social Security held a joint hearing on Social Security Number and Individual Taxpayer Identification Number Mismatches and Misuse. Testimony was heard from the following officials of the Department of the Treasury: Mark Everson, Commissioner; and Nina Olson, National Taxpayer Advocate, both with the IRS; and Pamela Gardiner, Acting Inspector General, Tax Administration; the following officials of the SSA: James B. Lockhart III, Deputy Commissioner; and Patrick P. O'Carroll, Assistant Inspector General, Investigations; and Michael Brostek, Director, Tax Issues, GAO.

INTELLIGENCE COMMUNITY BUDGET REVIEW

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Intelligence Community Budget overview. Testimony was heard from departmental witnesses.

IRAQ AND AFGHANISTAN—COMMUNITY-MILITARY COORDINATION

Permanent Select Committee on Intelligence: Subcommittee on Terrorism and Homeland Security met in executive session to hold a hearing on Intelligence Community-Military Coordination in Iraq and Afghanistan. Testimony was heard from departmental witnesses.

DEPARTMENT OF HOMELAND SECURITY PROPOSED INFORMATION ANALYSIS BUDGET

Select Committee on Homeland Security: Subcommittee on Intelligence and Counterterrorism held a hearing entitled "The Department of Homeland Security Proposed Information Analysis Budget for Fiscal Year 2005." Testimony was heard from Patrick M. Hughes, Assistant Secretary, Information Analysis, Department of Homeland Security.

Joint Meetings

STRENGTHENING RETIREMENT SECURITY

Joint Economic Committee: Committee concluded a hearing to examine issues relative to helping Americans save, focusing on the Save More Tomorrow plan (SmarT), Individual Retirement Accounts (IRAs), the Commission to Strengthen Social Security, improving financial education, and promoting automatic savings, after receiving testimony from Richard H. Thaler, University of Chicago Graduate School of Business, Chicago, Illinois; Robert C. Pozen, MFS Investment Management, Boston, Massachusetts; Ric Edelman, Edelman Financial Services, Fairfax, Virginia; and Peter R. Orszag, Urban-Brookings Tax Policy Center, Washington, D.C.

LEGISLATIVE PRESENTATIONS: VFW

Joint Hearing: Senate Committee on Veterans' Affairs concluded joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of the Veterans of Foreign Wars of the United States, after receiving testimony from Edward S. Banas, Veterans of Foreign Wars of the United States, Washington, D.C.

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Thursday, March 11, 2004

Senate

Chamber Action

Routine Proceedings, pages 4095–4263

Measures Introduced: Thirteen bills and four resolutions were introduced, as follows: S. 2194–2206, S.J. Res. 29, S. Res. 318–319, and S. Con. Res. 98. **Page 4225**

Measures Passed:

Adjournment Resolution: Senate agreed to S. Con. Res. 98, providing for a conditional adjournment or recess of the Senate. **Pages 4218, 4237**

Condemning Terrorist Attacks in Spain: By a unanimous vote of 96 yeas (Vote No. 43), Senate agreed to S. Res. 319, expressing the sense of the Senate with respect to the deadly terrorist attacks against the people of Spain that occurred on March 11, 2004. **Page 4147**

Congressional Budget Resolution: By 51 yeas to 45 nays (Vote No. 58), Senate agreed to S. Con. Res. 95, setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009, after taking action on the following amendments proposed thereto: **Pages 4095, 4149**

Adopted:

Mikulski Amendment No. 2820, to provide a deficit neutral reserve fund to provide a tuition tax credit. **Page 4154**

Coleman Amendment No. 2821, to provide $1.9 billion to increase the maximum Pell Grant from $4,050 to $4,500 by reducing spending in other Federal Government programs, except education programs, by a commensurate amount. **Page 4154**

Feinstein/Hollings Amendment No. 2753, to express the sense of the Senate regarding funding for port security. **Page 4155**

Murkowski/Campbell Amendment No. 2822, to increase funding for the Indian Health Services. **Page 4157**

Inhofe/Bingaman Amendment No. 2823, to return to the original scoring of the energy savings performance contract program. **Page 4161**

Nickles (for Conrad) Amendment No. 2831, to express the sense of the Senate regarding tribal colleges and universities. **Page 4161**

Nickles (for Bingaman) Amendment No. 2833, to establish a reserve fund for expansion of the pediatric vaccine distribution program. **Page 4162**

Nickles (for Wyden) Amendment No. 2717, to increase investments in implementation of the Healthy Forests Restoration Act to benefit national forests, the environment, local communities, and local economies. **Page 4162**

Nickles (for Kennedy/Rockefeller) Amendment No. 2699, to prevent unspent SCHIP funds from reverting to the Treasury rather than being used to provide coverage for low-income children. **Page 4162**

Nickles (for Thomas) Amendment No. 2794, to restore discretionary funding levels for crucial rural health programs, such as the rural health outreach grant program, the rural hospital flexibility grant program, the small hospital improvement program, telehealth, trauma programs, and rural AED programs to fiscal year 2004 levels and offset this change by reductions in overall government travel expenses. **Page 4162**

Nickles (for Pryor) Modified Amendment No. 2810, stating the sense of the Senate regarding the Low-Income Home Energy Assistance Program and the weatherization assistance program. **Page 4162**

Enzi/Cantwell Amendment No. 2832, to increase funding for the Workforce Investment Act (WIA) by $250 million in fiscal year 2005, by increasing function 500. **Page 4163**

Conrad (for Clinton) Amendment No. 2780, to establish a reserve fund for addressing minority health disparities. **Page 4163**

Crapo Amendment 2784, to increase funding for the Environmental Protection Agency for the Clean Water and Safe Drinking Water State Revolving Funds. **Page 4165**

Nickles (for Lincoln) Amendment No. 2837, to prevent tax increases for families who receive child tax credit. **Page 4170**

Nickles (for Grassley) Amendment No. 2838, expressing the sense of the Senate for support of funding restoration for agriculture research and extension. **Page 4170**

Nickles (for Snowe) Amendment No. 2839, to increase funding for the SBA 7(a) loan guarantee, Microloan and other small business programs and to offset the cost of that spending through across-the-board cuts in function 920. **Page 4170**

Nickles (for Sessions/Cornyn) Amendment No. 2733, to provide full funding for NASA's fiscal year 2005 space exploration initiatives. **Page 4170**

By 52 yeas to 43 nays (Vote No. 54), Levin/Collins Amendment No. 2817, to lower crude oil prices resulting from the cancellation of planned future deliveries of oil to the Strategic Petroleum Reserve and using the funding made available to provide $1.7 billion in funding for homeland security grants for first responders, firefighter assistance, and port security, and to reduce the debt. **Page 4170**

Nickles (for Hagel) Amendment No. 2841, to express the sense of the Senate on the need for a United States animal identification program as an effective disease surveillance, monitoring, and control tool serving the needs of the United States livestock industry and public health. **Page 4174**

Nickles (for Santorum) Amendment No. 2842, to reaffirm the United States ratio for contributions to The Global Fund to Fight AIDS, Tuberculosis, and Malaria. **Page 4174**

Nickles (for Hatch) Amendment No. 2843, to restore law enforcement assistance, and juvenile justice assistance, especially title V, and JAB6, to the Department of Justice. **Page 4174**

Nickles (for Dole/Leahy) Amendment No. 2844, to express the sense of the Senate concerning child nutrition funding. **Page 4174**

By 72 yeas to 24 nays (Vote No. 56), Specter/Collins Modified Amendment No. 2741, to increase discretionary health funding by $2,000,000,000. **Page 4176**

Nickles (for Lugar) Amendment No. 2845, to provide for an increase and a decrease in funding for certain programs. **Page 4178**

Murkowski Amendment No. 2846, to increase veterans medical care by $1,200,000,000. **Page 4180**

Nickles (for Grassley) Amendment No. 2847, to express the sense of the Senate regarding compensation for exposure to toxic substances at Department of Energy facilities. **Page 4180**

Nickles (for Byrd/Cochran) Amendment No. 2848, to correct the scoring for Project Bioshield. **Page 4181**

Nickles (for Dorgan) Amendment No. 2850, to increase budget authority and outlays in Function 450 (Community and Regional Development) and Function 500 (Education, Training, Employment, and Social Security) to establish a New Homestead Venture Capital Fund to make equity and near equity investments in start-up

and expanding businesses located in high out-migration rural counties and to repay up to 50 percent of college loans (up to $10,000) for recent graduates who live and work in such counties for five years, respectively; and to express the sense of the Senate that any revenue measure passed by Congress in the future should include tax incentives designed to address the devastating problem of chronic out-migration from rural communities in America's Heartland and that those tax incentives should be fully offset. **Page 4182**

Nickles (for DeWine/Leahy) Amendment No. 2697, to increase the new budget authority in the International Affairs function by $330,000,000 for fiscal year 2005 to provide adequate funding for the Child Survival and Health Program, with a corresponding offset in function 920. **Page 4183**

Nickles (for DeWine) Amendment No. 2715, to increase funding to facilitate reconstruction in Haiti. **Page 4183**

Nickles (for Lugar) Amendment No. 2785, to express the sense of the Senate concerning summer food pilot projects. **Page 4188**

Nickles (for Specter) Amendment No. 2851, to strike section 404. **Page 4188**

Nickles (for Collins/Carper) Amendment No. 2852, to provide a deficit neutral reserve fund for Postal Service reform. **Page 4188**

Landrieu Amendment No. 2775, to provide for eliminating the Survivor Benefit Plan-Social Security offset for military widows and widowers while reducing the debt, offset by the elimination of tax benefits to individuals and corporations that avoid United States taxation by establishing a foreign domicile and other tax loopholes and tax shelters. **Pages 4164, 4189**

Rejected:

By 41 yeas to 53 nays (Vote No. 41), Boxer Amendment No. 2783, to create jobs, to discourage the shipping of jobs overseas, and provide adjustment assistance for dislocated workers, by changing the tax treatment of certain income from runaway plants, and by reducing tax breaks for certain individuals. **Pages 4096, 4146, 4194**

By 41 yeas to 55 nays (Vote No. 42), Sarbanes Amendment No. 2789, to fully fund the FIRE and SAFER Acts and reduce tax breaks for certain individuals. **Pages 4110, 4146**

By 41 yeas to 55 nays (Vote No. 44), Dorgan Amendment No. 2793, to increase funding for COPS, Byre grants, and Local Law Enforcement Block Grants, and reduce tax breaks for certain individuals. **Pages 4115, 4149**

By 44 yeas to 52 nays (Vote No. 45), Lautenberg Amendment No. 2703, to reduce debt and require the industries responsible for producing products that contaminate toxic waste sites and industries who are exempt from liability for such contamination, to help pay for the cleanup by reinstating the Superfund polluter pays fees, and to reduce the deficit. **Pages 4135, 4145, 4150**

By 32 yeas to 64 nays (Vote No. 46), Harkin Amendment No. 2799, to provide for increased resources for medical research, disease control, wellness, tobacco cessation and preventative health efforts including substance abuse and mental health services, establishing a fund for this purpose, offset by an increase in the cigarette tax to $1 and proportional increases in other tobacco excise taxes and deficit reduction. **Pages 4125, 4150**

By 43 yeas to 53 nays (Vote No. 47), Lincoln Amendment No. 2803, to provide $60 billion over five years for greater health security for working Americans and their families through a combination of public and private efforts to expand quality, affordable health insurance coverage and cut health care costs by eliminating certain tax loopholes. **Page 4151**

By 43 yeas to 53 nays (Vote No. 48), Byrd Amendment No. 2804, to provide responsible restraints on discretionary funding while providing adequate resources for education, veterans, homeland security, and other critical domestic priorities and fully offsetting the cost by closing corporate tax loopholes, improving tax enforcement and reducing tax breaks for certain individuals. **Pages 4131, 4152**

By 40 yeas to 57 nays (Vote No. 50), Lieberman Amendment No. 2807, to restore cuts and increase funding for homeland security programs and reduce the debt by reducing tax breaks for certain individuals. **Pages 4136, 4153**

By 44 yeas to 53 nays (Vote No. 51), Conrad (for Kennedy) Amendment No. 2725, to create a reserve fund to finance an increase in the maximum Pell Grant that keeps pace with the rate of increase in public college tuition, extend Pell Grants to 500,000 new recipients, and close certain tax loopholes. **Pages 4141, 4153**

By 42 yeas to 54 nays (Vote No. 52), Daschle Amendment No. 2774, to create a reserve fund to allow for an increase in Indian Health Service Clinical Services by $3.44 billion and lower the national debt by eliminating certain tax loopholes or reducing tax breaks for individuals with incomes in excess of $1 million per year. **Page 4155**

By 42 yeas to 54 nays (Vote No. 53), Dodd Amendment No. 2762, to create a reserve fund to allow for an increase in the 21st Century Community Learning Centers Program by $1 billion and to eliminate certain tax loopholes. **Page 4158**

By 42 yeas to 54 nays (Vote No. 57), Lautenberg Amendment No. 2797, to strike the provision for raising the debt limit. **Page 4182**

Dayton Amendment No. 2786, to provide full mandatory funding for the Individuals with Disabilities Education Act (IDEA) part B grants over five years by reducing tax breaks for the wealthiest taxpayers. **Page 4184**

Reed Amendment No. 2790, to create a reserve fund to increase funding for college and student financial aid programs, including the Pell Grant program, campus-

based assistance, Leveraging Educational Assistance Partnership, TRIO, GEAR UP, and graduate level programs, and lower the national debt by closing certain tax loopholes. Page 4184

Withdrawn:

Kyl Amendment No. 2849, to create a reserve fund to permit an increase in veteran's medical care that is fully offset with an assessment on excessive lawyer fees paid under the tobacco settlement. Pages 4185, 4187

Corzine Amendment No. 2777, to eliminate tax breaks for those with incomes greater than $1 million and reserve the savings to prevent future cuts in Social Security benefits. Page 4189

Santorum Amendment No. 2853, to provide for an increase and a decrease in funding for certain programs. Page 4189

During consideration of this measure today, the Senate also took the following action:

By 43 yeas to 53 nays (Vote No. 49), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305 of the Congressional Budget Act of 1974, with respect to Bingaman Amendment No. 2765, to ensure that legislation is not enacted that increases the number of taxpayers affected by the alternative minimum tax. Subsequently, the point of order that the amendment was in violation of section 305 of the Congressional Budget Act of 1974, was sustained, and the amendment thus falls. Pages 4135, 4152

By 51 yeas to 45 nays (Vote No. 55), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive the point of order that McConnell Amendment No. 2840, to prohibit future income tax hikes on upper incomes that fail to exempt small businesses that file individual income tax returns as partnerships, sole proprietors, or subchapter S corporations, was not germane. Subsequently, the point of order was sustained and the amendment thus falls. Page 4172

Executive Reports of Committees: Senate received the following executive report of a committee:

Report to accompany the United Nations Convention on the Law of the Sea, with declarations and understandings. (Treaty Doc. 103–39) (Ex. Rept. 108–10) Page 4220

Messages From the President: Senate received the following message from the President of the United States:

Transmitting a report of the continuation of the national emergency with respect to Iran that was declared in Executive Order 12957; to the Committee on Banking, Housing, and Urban Affairs. (PM–73) Page 4218

Appointments:

National Commission of Small Community Air Service: The Chair, on behalf of the Majority Leader pursuant to Public Law 108–176, Section 411(b)(1)(B), appointed the following individual to serve as a member of the National Commission of Small Community Air Service: Mayor Boy Corker of Chattanooga, Tennessee. Page 4261

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 92 yeas (Vote No. 59), Louis Guirola, Jr., of Mississippi, to be United States District Judge for the Southern District of Mississippi. Page 4207

Feliciano Foyo, of Florida, to be a Member of the Advisory Board for Cuba Broadcasting for a term expiring August 12, 2004.

Neil Vincent Wake, of Arizona, to be United States District Judge for the District of Arizona.

Edward E. Kaufman, of Delaware, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2006. (Reappointment)

Steven J. Simmons, of Connecticut, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2006. (Reappointment)

Glyn T. Davies, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as the Political Director for the United States Presidency of the G–8.

Sanford Gottesman, of Texas, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2005.

Diane M. Ruebling, of California, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2005. (Reappointment)

C. William Swank, of Ohio, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2005. (Reappointment)

Robert Hurley McKinney, of Indiana, to be a Member of the Advisory Board for Cuba Broadcasting for a term expiring October 27, 2004.

Mark J. Warshawsky, of Maryland, to be an Assistant Secretary of the Treasury.

Richard S. Williamson, of Illinois, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Human Rights Commission of the Economic and Social Council of the United Nations.

Mark B. McClellan, of the District of Columbia, to be Administrator of the Centers for Medicare and Medicaid Services.

Routine lists in the Coast Guard. Pages 4261, 4262

Nominations Received: Senate received the following nominations:

Tina Westby Jonas, of Virginia, to be Under Secretary of Defense (Comptroller).

Romolo A. Bernardi, of New York, to be Deputy Secretary of Housing and Urban Development.

Thomas Hill Moore, of Florida, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2002. (Reappointment)

Juan Carlos Zarate, of California, to be an Assistant Secretary of the Treasury.

Lewis W. Lucke, of Texas, to be Ambassador to the Kingdom of Swaziland.

Earle I. Mack, of New York, to be Ambassador to the Republic of Finland.

Jackson McDonald, of Florida, to be Ambassador to the Republic of Guinea.

John M. Ordway, of California, to be Ambassador to the Republic of Kazakhstan.

32 Army nominations in the rank of general.

5 Marine Corps nominations in the rank of general.

Routine lists in the Air Force, Navy. **Page 4262**

Messages From the House: **Page 4218**

Measures Referred: **Page 4218**

Measures Placed on Calendar: **Page 4219**

Executive Communications: **Page 4219**

Executive Reports of Committees: **Page 4220**

Additional Cosponsors: **Page 4225**

Statements on Introduced Bills/Resolutions: **Page 4228**

Additional Statements: **Page 4217**

Amendments Submitted: **Page 4238**

Notices of Hearings/Meetings: **Page 4260**

Authority for Committees To Meet: **Page 4261**

Privilege of the Floor: **Page 4261**

Record Votes: Nineteen record votes were taken today. (Total—59) **Pages 4146–54, 4157, 4159, 4172, 4174, 4177, 4182, 4207**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 1:44 a.m., on Friday, March 12, 2004, until 10 a.m., on the same day. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 4262.)

Committee Meetings

APPROPRIATIONS: FOREST SERVICE

Committee on Appropriations: Subcommittee on Interior and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Forest Service of the Department of Agriculture, after receiving testimony from Dale N. Bosworth, Chief, Forest Service, and Mark E. Rey, Under Secretary for Natural Resources and Environment, both of the Department of Agriculture.

APPROPRIATIONS: NASA

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the National Aeronautics and Space Administration (NASA), after receiving testimony from Sean O'Keefe, Administrator, National Aeronautics and Space Administration.

APPROPRIATIONS: LIBRARY OF CONGRESS

Committee on Appropriations: Subcommittee on Legislative Branch concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Library of Congress, after receiving testimony from James H. Billington, Librarian of Congress; and Donald L. Scott, Deputy Librarian of Congress.

DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded a hearing to examine the Defense Authorization Request for fiscal year 2005, focusing on missile defense after receiving testimony from Michael W. Wynne, Acting Under Secretary of Defense for Acquisition, Technology and Logistics; Admiral James O. Ellis, Jr., USN, Commander, United States Strategic Command; Thomas P. Christie, Director, Operational Test and Evaluation; Lieutenant General Ronald T. Kadish, USAF, Director, Missile Defense Agency; and Lieutenant General Larry J. Dodgen, USA, Commander, Space and Missile Defense Command.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Airland concluded a hearing to examine the defense authorization request for fiscal year 2005 and the future years defense program, focusing on Army Transformation, after receiving testimony from Claude M. Bolton, Jr., Assistant Secretary of the Army for Acquisition, Logistics and Technology; General George W. Casey, Jr., USA, Vice Chief of Staff, United States Army; and Major General John M. Curran, USA, Director, Future Centers, Headquarters, U.S. Army Training and Doctrine Command.

PRESCRIPTION DRUG IMPORTATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine prescription drug importation and related matters, focusing on reducing drug costs, safety concerns relating to importation, recent action by the States, drug counterfeiting, and the Medicare importation study and task force, after receiving testimony from Representatives Burton and Sanders; and Mark B. McClellan, Commissioner, Food and Drug Administration, Department of Health and Human Services.

ABANDONED MINE LANDS PROGRAM

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 2086, to amend the Surface Mining Control and Reclamation Act of 1977 to improve the reclamation of abandoned mines, and S. 2049, to amend the Surface Mining Control and Reclamation Act of 1977 to reauthorize collection of reclamation fees, revise the abandoned mine reclamation program, promote

remining, authorize the Office of Surface Mining to collect the black lung excise tax, and make sundry other changes, after receiving testimony from Jeffrey D. Jarrett, Director, Office of Surface Mining, Department of the Interior; Steve Hohmann, Director, Kentucky Department for Surface Mining and Enforcement, Frankfort, on behalf of the Interstate Mining Compact Commission and the National Association of Abandoned Mine Land Programs; Evan J. Green, Wyoming Department of Environmental Quality, Cheyenne; Joe Shirley, Jr., Navajo Nation, Washington, D.C.; Charles Gauvin, Trout Unlimited, Arlington, Virginia; and Micheal Buckner, United Mine Workers of America, Fairfax, Virginia.

NOMINATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nomination of Sue Ellen Wooldridge, of Virginia, to be Solicitor of the Department of the Interior, after the nominee testified and answered questions in her own behalf.

POSTAL REFORM

Committee on Governmental Affairs: Committee resumed hearings to examine U.S. Postal Service reform issues, focusing on sustaining the 9 million jobs in the $900 billion mailing industry, after receiving testimony from Frederick W. Smith, FedEx Corporation, Memphis, Tennessee; Michael L. Eskew, United Parcel Service, Atlanta, Georgia; Gary M. Mulloy, ADVO, Inc., Windsor, Connecticut; Gary B. Pruitt, McClatchy Company, Sacramento, California, on behalf of the Newspaper Association of America; and H. Robert Wientzen, Direct Marketing Association, New York, New York.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of William James Haynes II, of Virginia, to be United States Circuit Judge for the Fourth Circuit, Diane S. Sykes, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit, James L. Robart, to be United States District Judge for the Western District of Washington, and Juan R. Sanchez and Lawrence F. Stengel, both to be a United States District Judge for the Eastern District of Pennsylvania.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 30 public bills, H.R. 3936–3965; and 9 resolutions, H.J. Res. 89–90; H. Con. Res. 382–384, and H. Res. 557–560, were introduced. **Page 4092**

Additional Cosponsors: **Page 4094**

Reports Filed: Reports were filed today as follows:

H.R. 3261, to prohibit the misappropriation of certain databases, amended adverse (H. Rept. 108–421, Pt. 2). **Page 4092**

Broadcast Decency Enforcement Act of 2004: The House passed H.R. 3717, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language, by a recorded vote of 391 ayes to 22 noes with one voting "present", Roll No. 55. **Page 4039**

Agreed to amend the title so as to read: to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane material. **Page 4056**

The amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill was considered as an original bill for the purpose of amendment. **Page 4055**

Agreed to:

Upton amendment that preserves a licensee's right of a license to appeal a forfeiture order issued by the FCC for the broadcast of obscene, indecent, or profane material before the existence of such an order can be used in a license application proceeding, renewal proceeding, or revocation proceeding and also requires the FCC to provide Congress with information related to the number of times that violators refuse to pay a forfeiture order and that the FCC refers such orders to collections; and **Page 4053**

Sessions amendment that directs the GAO to study and report within one year the number of complaints concerning the broadcasting of obscene, indecent, and profane material to the FCC the; number of such complaints that result in final agency actions by the FCC; the length of time taken by the FCC in responding to such complaints; what mechanisms the Commission has established to receive, investigate, and respond to such complaints; and whether complainants to the FCC are adequately informed by the FCC of the responses to their complaints. **Page 4054**

H. Res. 554, the rule providing for consideration of the bill was agreed to by voice vote. **Page 4035**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Commending India on its celebration of Republic Day: Debated on March 10, H. Con. Res. 15, commending India on its celebration of Republic Day, by a

⅔ yea and nay vote of 418 yeas with none voting "nay", Roll No. 56; and Page 4056

Expressing the condolences of the House for the untimely death of Macedonian President Boris Trajkovski: Debated on March 10, H. Res. 540, expressing the condolences and deepest sympathies of the House of Representatives for the untimely death of Macedonian President Boris Trajkovski, by a ⅔ yea and nay vote of 411 yeas to with none voting "nay", Roll No. 57. Page 4057

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at noon on Friday, March 12, and further that when it adjourn to meet at 12:30 p.m. on Tuesday, March 16 for Morning-Hour debate. Page 4091

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, March 17. Page 4091

Senate Adjournment: Agreed to S. Con. Res. 98, providing for a conditional adjournment or recess of the Senate. Page 4079

Presidential Message: Read a letter from the President wherein he notified Congress of the continuation of the National Emergency with Respect to Iran—referred to the Committee on International Relations and ordered to be printed (108–173). Page 4066

Senate Messages: Messages from the Senate today appear on page 4033.

Quorum Calls—Votes: Two yea and nay votes and one recorded vote developed during the proceedings today and appear on pages 4055, 4056, and 4057. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:18 p.m.

Committee Meetings

PEANUT PROGRAM

Committee on Agriculture: Subcommittee on Speciality Crops and Foreign Agriculture Programs held a hearing to review the Peanut Program. Testimony was heard from Floyd Gaibler, Under Secretary, Farm and Foreign Agricultural Services, USDA; and public witnesses.

AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies held a hearing on the FDA. Testimony was heard from the following officials of the FDA, Department of Health and Human Services: Lester M. Crawford, Acting Commissioner; Jeffrey M. Weber, Associate Commissioner, Management and Chief Financial Officer; and William R. Beldon, Acting Deputy Assistant Secretary, Budget.

COMMERCE, STATE, JUSTICE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, State, Justice, Judiciary and Related Agencies held a hearing on the Federal Judiciary. Testimony was heard from Leonidas Ralph Mecham, Director, Administrative Office of the United States Courts; and Chief Judge John Heyburn, Chairman, Budget Committee, Judicial Conference of the United States.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on the Secretary of Energy. Testimony was heard from Spencer Abraham, Secretary of Energy.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Border and Transportation Security. Testimony was heard from Asa Hutchinson, Under Secretary, Border and Transportation Security, Department of Homeland Security.

The Subcommittee also held a hearing on the Acting Administrator, Transportation Security Administration. Testimony was heard from ADM David Stone, USN (Ret.), Acting Administrator, Transportation Security Administration, Department of Homeland Security.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on the Secretary of Education. Testimony was heard from Rodney Paige, Secretary of Education.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD and Independent Agencies continued appropriation hearings. Testimony was heard from Members of Congress.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—NAVY RESEARCH AND DEVELOPMENT

Committee on Armed Services: Subcommittee on Projection Forces held a hearing on the Fiscal Year 2005 National Defense Authorization Budget Request—Navy Research and Development, Transformation and Future Navy Capabilities. Testimony was heard from the following officials of the Department of the Navy: John J. Young, Assistant Secretary (Research, Development and Acquisition); VADM John B. Nathan, USN, Deputy Chief of Naval Operations (N–7) (Warfare Requirements and Pro-

grams); VADM Cutler J. Dawson, Jr., Deputy Chief of Naval Operations (N–8) (Resources, Requirements, and Assessments); LTG Edward Hanlon, Jr., USMC, Commanding General, Marine Corps Combat Development Command; and RADM Jay M. Cohen, USN, Chief of Naval Research, Director, Test and Evaluation and Technology Requirements.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—ASSESSING ADEQUACY TO MEET READINESS NEEDS

Committee on Armed Services: Subcommittee on Readiness held a hearing on the Fiscal Year 2005 National Defense Authorization Budget Request—Assessing the Adequacy of the Fiscal Year 2005 Budget to Meet Readiness Needs. Testimony was heard from the following officials of the Department of Defense: GEN George Casey, USA, Vice Chief of Staff, Army, Headquarters, Department of the Army; ADM Michael G. Mullen, USN, Vice Chief of Naval Operations and LTG Jan C. Huly, USMC, Deputy Commander, Plans, Policy and Operations, U.S. Marine Corps, both with the Department of the Navy; and GEN T. Michael Moseley, USAF, Vice Chief of Staff, Air Force, Headquarters, U.S. Air Force.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—SPECIAL OPERATIONS COMMAND OVERSIGHT

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the Fiscal Year 2005 National Defense Authorization Budget Request—Special Operations Command Oversight. Testimony was heard from the following officials of the Department of Defense: Thomas W. O'Connell, Assistant Secretary, Special Operations and Low-Intensity Conflict; GEN Bryan D. Brown, USA, Commander, U.S. Special Operations Command; LTG Philip Kensinger, USA, Commanding General, U.S. Army Special Operations Command; LTG Paul Hester, USAF, Commander, Air Force Special Operations Command; RADM Albert Calland, USN, Commander, Naval Special Warfare Command; and Command CMSgt Robert Martens, Jr., U.S. Air Force, Senior Enlisted Advisor, U.S. Special Operations Command.

BUDGET RESOLUTION

Committee on the Budget: Began mark up of the Budget Resolution for Fiscal Year 2005.

Committee recessed subject to call.

CHANGING NATURE OF THE ECONOMY—CRITICAL ROLES OF EDUCATION AND INNOVATION

Committee on Education and the Workforce: Held a hearing entitled "The Changing Nature of the Economy: The Critical Roles of Education and Innovation in Creating Jobs & Opportunity in a Knowledge Economy." Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System; and public witnesses.

COLLEGE RECRUITING—ARE STUDENT ATHLETES BEING PROTECTED?

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled "College Recruiting: Are Student Athletes Being Protected?" Testimony was heard from Representative Osborne; and public witnesses.

IRAQ—REBUILDING CHALLENGES

Committee on Government Reform: Held a hearing on the Complex Task of Coordinating Contracts Amid Chaos: The Challenges of Rebuilding a Broken Iraq. Testimony was heard from the following officials of the Department of Defense: MG Carl A. Strock, USA, Director, Civil Works, Army Corps of Engineers; GEN Paul J. Kern, USA, Commanding General, U.S. Army Material Command; MG Wade H. McManus, Jr., USA, Commanding General, U.S. Army Field Support Command; Tina Ballard, Deputy Assistant Secretary, Army (Policy and Procurement); Dov S. Zakheim, Under Secretary, (Comptroller) and Chief Financial Officer; William H. Reed, Director, Defense Contract Audit Agency; and RADM David Nash, USN (Ret.), Director, Iraq Program Management Office, Coalition Provisional Authority; and Lewis Lucke, Deputy Assistant Administrator, AID, Department of State.

"CERVICAL CANCER AND HUMAN PAPILLOMAVIRUS"

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Cervical Cancer and Human Papillomavirus." Testimony was heard from Representative Weldon of Florida; the following officials of the Department of Health and Human Services: Ed. Thompson, M.D., Deputy Director, Public Health Services, Centers for Disease Control and Prevention; Edward L. Trimble, M.D., Gynecologic Oncologist, National Cancer Institute, NIH; and Daniel G. Schultz, M.D., Director, Office of Device Evaluation, Center for Devices and Radiologic Health, FDA; and public witnesses.

SUDAN: PEACE AGREEMENT AROUND THE CORNER?

Committee on International Relations: Subcommittee on Africa held a hearing on Sudan: Peace Agreement Around the Corner? Testimony was heard from the following officials ofthe Department of State: Charles R. Snyder, Acting Assistant Secretary, Bureau of African Affairs; and Roger P. Winter, Assistant Administrator, Democracy, Conflict and Humanitarian Assistance, AID; and public witnesses.

OVERSIGHT—COPYRIGHT ACT

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on Section 115 of the Copyright Act: In Need of Update? Testimony was heard from Marybeth Peters, Register of Copyrights, Library of Congress; and public witnesses.

OVERSIGHT—IMMIGRATION FUNDING

Committee on the Judiciay: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled "Funding for Immigration in the President's 2005 Budget." Testimony was heard from public witnesses.

OVERSIGHT—BUDGET REQUESTS—NOAA AND FISH AND WILDLIFE SERVICE

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held an oversight hearing on the Administration's Fiscal Year 2005 budget requests for NOAA and the U.S. Fish and Wildlife Service. Testimony was heard from VADM Conrad C. Lautenbacher, Jr., USN (Ret.), Under Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; and Steven A. Williams, Director, U.S. Fish and Wildlife Service, Department of the Interior.

CURRENT BUDGET PROCESS—CONSIDER NEW REFORM AND ENFORCEMENT PROPOSALS

Committee on Rules: Subcommittee on Legislative and Budget Process held a hearing to assess the effectiveness of the current budget process and consider new reform and enforcement proposals. Testimony was heard from Representatives Hensarling, Ryan of Wisconsin, Chocola, Stenholm, Hill, Kirk, Hastings of Washington, Castle and Cox; and Josh Bolten, Director, OMB.

EPA BUDGET

Committee on Science: Subcommittee on Environment, Technology, and Standards held a hearing on the Fiscal Year EPA Budget. Testimony was heard from Clay Johnson, III, Deputy Director, Management, OMB; Paul Gilman, Assistant Administrator, Research and Development, EPA; Paul Posner, Managing Director, Natural Resources and Environment, GAO; and public witnesses.

VA'S POST-TRAUMATIC STRESS DISORDER PROGRAMS STATUS

Committee on Veterans' Affairs: Subcommittee on Health held a hearing on the current status of Department of Veterans' post-traumatic stress disorder (PTSD) programs. Testimony was heard from the following officials of the Department of Veterans Affairs: Robert H. Roswell, M.D., Under Secretary, Health; Thomas Horvath, M.D., Chief of Staff, Michael E. DeBakey Veterans Affairs Medical Center; Terence Keane, Director, National Center for Post-Traumatic Stress Disorder, Boston Health Care System; Harold Kudler, M.D., Co-Chair, Under Secretary, Health's Special Committee on PTSD, Durham Medical Center; Chaplain Robert W. Mikol, Clinical Chaplain, Lyons Campus, New Jersey Health Care System; and Rev. Philip G. Salois, VISN 1 Chaplain Program Manager, Boston Health Care System; the following officials of the Department of Defense: LTC Kenneth Brown, Chaplain, U.S. Army; LT Charles E. Hodges, Chaplain Corps, U.S. Naval Reserve; and CDR Mark Jumper, Staff Chaplain, U.S. Coast Guard Academy; representatives of veterans organizations; and public witnesses.

PRESIDENT'S TRADE AGENDA

Committee on Ways and Means: Held a hearing on President Bush's Trade Agenda. Testimony was heard from Robert B. Zoellick, U.S. Trade Representative.

NATIONAL RECONNAISSANCE PROGRAM BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on National Reconnaissance Program Budget. Testimony was heard from departmental witnesses.

BRIEFING—GLOBAL INTELLIGENCE UPDATE

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy and National Security met in executive session to receive a briefing on Global Intelligence Update. The Subcommittee was briefed by departmental witnesses.

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Friday, March 12, 2004

Senate

Chamber Action

Routine Proceedings, pages S2755–S2832

Measures Introduced: Eleven bills and two resolutions were introduced, as follows: S. 2207–2217, and S. Res. 320–321. **Page 4317**

Measures Passed:

Presidential Authorization: Committee on Foreign Relations was discharged from further consideration of H.R. 254, to authorize the President of the United States to agree to certain amendments to the Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 4294**

Frist (for Hutchison) Amendment No. 2856, in the nature of a substitute. **Page 4294**

Small Business Program Extensions: Senate passed H.R. 3915, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through April 2, 2004, clearing the measure for the President. **Page 4294**

National Patient Safety Awareness Week: Senate agreed to S. Res. 320, designating the week of March 7 through March 13, 2004, as "National Patient Safety Awareness Week". **Page 4295**

National Safe Place Week: Committee on the Judiciary was discharged from further consideration of S. Res. 309, designating the week beginning March 14, 2004, as "National Safe Place Week", and the resolution was then agreed to. **Page 4296**

Wilkie D. Ferguson, Jr. United States Courthouse: Senate passed S. 1904, to designate the United States courthouse located at 400 North Miami Avenue in Miami, Florida, as the "Wilkie D. Ferguson, Jr. United States Courthouse". **Page 4364**

Senator Paul Simon Federal Building: Senate passed S. 2022, to designate the Federal building located at 250 West Cherry Street in Carbondale, Illinois the "Senator Paul Simon Federal Building". **Page 4364**

Ronald Reagan Federal Building: Senate passed S. 2043, to designate a Federal building in Harrisburg, Pennsylvania, as the "Ronald Reagan Federal Building". **Page 4364**

Honoring Cumberland County's 250th Anniversary: Committee on the Judiciary was discharged from further consideration of S. Res. 307, honoring the county of Cumberland, North Carolina, its municipalities and community partners as they celebrate the 250th year of the existence of Cumberland County, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page 4365**

Frist (for Edwards) Amendment No. 2857, in the nature of a substitute. **Page 4365**

Energy Efficient Housing Technical Correction Act: Committee on Banking, Housing and Urban Affairs was discharged from further consideration of H.R. 3724, to amend section 220 of the National Housing Act to make a technical correction to restore allowable increases in the maximum mortgage limits for FHA-insured mortgages for multifamily housing projects to cover increased costs of installing a solar energy system or residential energy conservation measures, and the bill was then passed, clearing the measure for the President. **Page 4366**

Unborn Victims of Violence Act—Agreement: A unanimous-consent-time agreement was reached providing that at a time to be determined by the Majority Leader, in consultation with the Democratic Leader, Senate proceed to consideration of H.R. 1997, to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, with certain amendments to be proposed thereto. **Page 4362**

Authority for Committees—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, all committees were authorized to file legislative and executive reports during the adjournment of the Senate on Thursday, March 18, 2004, from 10 a.m. until 12 noon. **Page 4362**

Medical Devices Technical Corrections Act: Senate concurred in the amendment of the House to S. 1881, to amend the Federal Food, Drug, and Cosmetic Act to make technical corrections relating to the amendments by the Medical Device User Fee and Modernization Act of 2002, clearing the measure for the President. **Page 4362**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaties:

Investment Protocol with Estonia (Treaty Doc. 108–17);

Additional Investment Protocol with the Czech Republic (Treaty Doc. 108–18);

Additional Investment Protocol with the Slovak Republic (Treaty Doc. 108–19);

Additional Investment Protocol with Latvia (Treaty Doc. 108–20);

Additional Investment Protocol with Lithuania (Treaty Doc. 108–21); and

Additional Protocol Concerning Business and Economic Relations with Poland (Treaty Doc. 108–22).

The treaties were transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page 4366**

Nominations Received: Senate received the following nominations:

William H. Pryor, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Mary J. Schoelen, of the District of Columbia, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

Jack Dyer Crouch II, of Missouri, to be Ambassador to Romania.

Joseph E. Brennan, of Maine, to be a Federal Maritime Commissioner for the term expiring June 30, 2008. (Reappointment)

The following named officer of the United States Coast Guard to be a member of the Permanent Commissioned Teaching Staff of the Coast Guard Academy in the grade indicated under title 14, U.S.C., section 188:

Routine lists in the Air Force, Army, Coast Guard, Navy. **Page 4370**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

A routine list in the Coast Guard. **Page 4373**

Messages From the House: Page 4316

Measures Read First Time: Page 4316

Executive Communications: Page 4316

Additional Cosponsors: Page 4318

Statements on Introduced Bills/Resolutions: Page 4318

Additional Statements: Page 4314

Amendments Submitted: Page 4343

Adjournment: Senate convened at 10 a.m., and adjourned at 2:18 p.m., until 12 noon, on Monday, March 22, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 4368.)

Committee Meetings

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: On Thursday, March 11, Committee ordered favorably reported the nominations of Linda Mysliwy Conlin, of New Jersey, to be a Member of the Board of Directors of the Export-Import Bank of the United States, and Rhonda Keenum, of Mississippi, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Services.

House of Representatives

Chamber Action

Measures Introduced: 4 public bills, H.R. 3966–3969, were introduced. Page 4292

Additional Cosponsors: Page 4292

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Thornberry to act as Speaker Pro Tempore for today and as Speaker Pro Tempore to sign enrolled bills and joint resolutions through March 15. Page 4291

Senate Message: Message from the Senate today appears on page 4291.

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 12 noon and adjourned at 12:04 p.m.

Committee Meetings

No committee meetings were held.

Tuesday, March 16, 2004

Senate

Chamber Action

The Senate was not in session today. It will next meet at 12 noon, on Monday, March 22, 2004.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 10 public bills, H.R. 3970–3979; and 5 resolutions, H. Con. Res. 385–386, and H. Res. 561–563 were introduced. Page 4415

Additional Cosponsors: Page 4416

Reports Filed: Reports were filed today as follows:

Supplemental report on H.R. 1375, to provide regulatory relief and improve productivity for insured depository institutions (H. Rept. 108–152, Pt. 3);

H.R. 3872, to prohibit the misappropriation of databases while ensuring consumer access to factual information (H. Rept. 108–437); and

H. Res. 561, providing for consideration of H. Res. 557, relating to the liberation of the Iraqi people and the valiant service of the United States Armed Forces and Coalition forces. (H. Rept. 108–438). Page 4415

Speaker: Read a letter from the Speaker wherein he appointed Representative Chocola to act as Speaker pro tempore for today. Page 4376

Recess: The House recessed at 12:58 p.m. and reconvened at 2 p.m. Page 4379

Authorizing the use of the rotunda of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies: By unanimous consent the House took from the Speaker's table and agreed to S. Con. Res. 93, authorizing the use of the rotunda of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies. Page 4380

Joint Congressional Committee on Inaugural Ceremonies: By unanimous consent the House took from the Speaker's table and agreed to S. Con. Res. 94, establishing the Joint Congressional Committee on Inaugural Ceremonies. Page 4380

Later the Chair announced the Speaker's appointment of Speaker Hastert, Majority Leader DeLay, and Minority

Leader Pelosi to the Joint Congressional Committee on Inaugural Ceremonies. **Page 4381**

Board of Visitors of the United States Air Force Academy—Resignation: Read a letter from Representative Young of Florida wherein he resigned from the Board of Visitors of the United States Air Force Academy. **Page 4381**

Board of Visitors of the United States Air Force Academy—Appointment: The Chair announced the Speaker's appointment of Representative Granger to fill the existing vacancy on the Board of Visitors of the United States Air Force Academy. **Page 4381**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Thanking C–SPAN for its service to the House of Representatives: H. Res. 551, thanking C–SPAN for its service to the House of Representatives on the 25th anniversary of its first coverage of the proceedings of the House, by a ⅔ yea-and-nay vote of 392 yeas with none voting "nay", Roll No. 58; **Pages 4381, 4393**

Myron V. George Post Office Building Designation Act: H.R. 3733, to designate the facility of the United States Postal Service located at 410 Huston Street in Altamont, Kansas, as the "Myron V. George Post Office", by a ⅔ yea-and-nay vote of 394 yeas with none voting "nay", Roll No. 59; and **Pages 4384, 4394**

Honoring the life and legacy of Luis A. Ferré: H. Res. 433, honoring the life and legacy of Luis A. Ferré, by a ⅔ yea-and-nay vote of 398 yeas with none voting "nays" Roll No. 60. **Pages 4385, 4394**

Suspension Postponed: The House completed debate on the following measure. Further proceedings were postponed until Wednesday, March 17.

Honoring the life and legacy of President Franklin Delano Roosevelt: H.J. Res. 87, Honoring the life and legacy of President Franklin Delano Roosevelt and recognizing his contributions on the anniversary of the date of his birth. **Page 4388**

Recess: The House recessed at 3:08 p.m. and reconvened at 6:30 p.m. **Page 4393**

Senate Message: Message from the Senate today appears on page 4379.

Senate Referrals: S. 2043 was referred to the Committee on Transportation and Infrastructure; S. 1904, S. 2022, and S. Con. Res. 95 were held at the desk. **Page 4379**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages 4393–95. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:24 p.m.

Committee Meetings

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on School Leadership. Testimony was heard from public witnesses.

HOMELAND SECURITY ADVISORY SYSTEM

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing on Homeland Security Advisory System: Threat Codes and Public Responses. Testimony was heard from Patrick M. Hughes, Assistant Secretary, Information Analysis, Department of Homeland Security; Randall Yim, Managing Director, Homeland Security and Justice Team, GAO; Shawn Reese, Analyst, American National Government, Congressional Research Service, Library of Congress; and public witnesses.

INFORMATION SECURITY IN THE FEDERAL GOVERNMENT

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held an oversight hearing entitled "Information Security in the Federal Government: One Year Into the Federal Information Security Management Act." Testimony was heard from Robert F. Dacey, Director, Information Security Issues, GAO; Karen Evans, Administrator, Electronic Government and Information Technology, OMB; Benjamin Wu, Deputy Under Secretary, Technology, Department of Commerce; Paul Corts, Assistant Attorney General, Administration, Department of Justice; Jeffrey Rush, Jr., Inspector General, Department of the Treasury; Ellis W. Merschoff, Chief Information Officer, NRC; and Kerry Weems, Acting Assistant Secretary, Budget, Technology and Finance, Department of Health and Human Services.

ANABOLIC STEROIDS CONTROL ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 3866, Anabolic Steroids Control Act of 2004. Testimony was heard from Representative Sweeney; Joseph Rannazzisi, Deputy Director, Office of Diversion Control, DEA, Department of Justice; and public witnesses.

LIBERATION OF THE IRAQI PEOPLE

Committee on Rules: Granted, by voice vote, a closed rule providing four hours of debate in the House on H. Res. 557, relating to the liberation of the Iraqi people and the valiant service of the United States Armed Forces and Coalition forces, equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations, or their designee. The rule provides one motion to recommit which may not contain in-

structions. The rule provides that Section 1 of the resolution provides that during consideration of H. Res. 557, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the resolution to a time designated by the Speaker. Testimony was heard from Chairman Hyde and Representatives Hastings of Florida, Jackson-Lee of Texas, and Inslee.

CONSOLIDATED CRYPTOLOGIC BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Consolidated Cryptologic Budget. Testimony was heard from departmental witnesses.

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Wednesday, March 17, 2004

Senate

Chamber Action

The Senate was not in session today. It will next meet at 12 noon, on Monday, March 22, 2004.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 13 public bills, H.R. 3980–3992; and 9 resolutions, H. Con. Res. 387–389, and H. Res. 564–565, 567–570 were introduced. **Page 4554**

Additional Cosponsors: **Page 4555**

Reports Filed: Reports were filed today as follows:

H. Res. 566, providing for consideration of H.R. 1375, to provide regulatory relief and improve productivity for insured depository institutions, and for other purposes (H. Rept. 108–439). **Page 4554**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bass to act as Speaker Pro Tempore for today. **Page 4441**

Motion to Adjourn: Rejected the Hastings of Florida motion to adjourn by a yea-and-nay vote of 36 yeas to 377 nays, Roll No. 61. **Page 4451**

Suspensions: The House agreed to suspend the rules and pass the following measure:

Honoring the life and legacy of President Franklin Delano Roosevelt: Debated on March 16, H.J. Res. 87, Honoring the life and legacy of President Franklin Delano Roosevelt and recognizing his contributions on the anniversary of the date of his birth, by a ⅔ yea-and-nay vote of 398 yeas to 5 nays with 6 voting "present", Roll No. 65. **Page 4526**

Suspensions Postponed: The House completed debate on the following measures to suspend the rules. Further proceedings were postponed until Thursday, March 18.

Counter-Terrorism and Narco-Terrorism Rewards Program Act: H.R. 3782, amended, to amend the State Department Basic Authorities Act of 1956 to increase the maximum amount of an award available under the Department of State rewards program, to expand the eligibility criteria to receive an award, to authorize nonmonetary awards, to publicize the existence of the rewards program; and **Page 4456**

Recognizing more than five decades of strategic partnership between the U.S. and the people of the Marshall Islands: H. Con. Res. 364, to recognize more than 5 decades of strategic partnership between the United States and the people of the Marshall Islands in the pursuit of international peace and security. **Page 4457**

Recess: The House recessed at 1 p.m. and reconvened at 2:10 p.m. **Page 4465**

Liberation of the Iraqi people and the service of the U.S. Armed Forces and Coalition forces: The House agreed to H. Res. 557, relating to the liberation of the Iraqi people and the valiant service of the United States Armed Forces and Coalition forces, by a recorded vote of 327 ayes to 93 noes with 7 voting "present", Roll No. 64. **Page 4465**

H. Res. 561, the rule providing for consideration of the measure was agreed to by a recorded vote of 228 ayes to 195 noes, Roll No. 63, after agreeing to order the previous question by a yea-and-nay vote of 217 yeas to 197 nays, Roll No. 62 **Pages 4444, 4455**

Quorum Calls—Votes: Three yea-and-nay votes and two recorded votes developed during the proceedings today and appear on pages 4451, 4454–56, and 4526–27. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12 midnight.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies held a hearing on Farm and Foreign Agricultural Services. Testimony was heard from the following officials of the USDA: J.B. Penn, Under Secretary, Farm and Foreign Agricultural Services; James R. Little, Administrator, Farm Service Agency; A. Ellen Terpstra, Administrator, Foreign Agricultural Service; Ross J. Da-

vidson, Jr., Administrator, Risk Management Agency; and Stephen B. Dewhurst, Budget Officer.

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies held a hearing on the Supreme Court. Testimony was heard from U.S. Supreme Court Justices Anthony Kennedy and Clarence Thomas.

The Subcommittee also held a hearing on the FBI. Testimony was heard from Robert S. Mueller, III, Director, FBI, Department of Justice.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on the Navy/Marine Corps Budget Overview. Testimony was heard from the following officials of the Department of the Navy: Gordon R. England, Secretary; ADM. Vernon E. Clark, USNm Chief, Naval Operations; and GEN Michael W. Hagee, USMC, Commandant, U.S. Marine Corps.

The Subcommittee also met in executive session to hold a hearing on Navy/Marine Corps Acquisition. Testimony was heard from the following officials of the Department of the Navy: John J. Young, Jr., Assistant Secretary, Research, Development and Acquisition; and VADM John B. Nathan, Deputy Chief, Naval Operations, Warfare Requirements and Programs.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on Science, Nuclear Energy and Renewable Energy. Testimony was heard from Robert Card, Under Secretary, Energy, Science and Environment, Department of Energy.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Bureau of Immigration and Customs Enforcement. Testimony was heard from Michael Garcia, Assistant Secretary, Bureau of Immigration and Customs Enforcement, Department of Homeland Security.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior held a hearing on the U.S. Geological Survey. Testimony was heard from Charles G. Groat, Director, U.S. Geological Survey, Department of the Interior.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Older American Programs. Testimony was heard from the following officials of the Department of Health and Human Services: Josefina G. Carbonell, Assistant Secretary, Aging; Richard Hodes, M.D., Director, National Institute on Aging; and David Dye, Deputy Assistant Secretary, Employment and Training; and David Eisner, CEO, Corporation for National and Community Service.

TRANSPORTATION, TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury, and Independent Agencies held a hearing on the FAA. Testimony was heard from the following officials of the Department of Transportation: Marion C. Blakey, Administrator, FAA; and Kenneth M. Mead, Inspector General.

VA, HUD, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD and Independent Agencies held a hearing on U.S. Court of Appeals for Veterans Claims. Testimony was heard from Judge Donald Ivers, U.S. Court of Appeals for Veterans Claims.

The Subcommittee held a hearing on Community Development Financial Institutions. Testimony was heard from Wayne Abernathy, Assistant Secretary, Financial Institutions, Department of the Treasury.

The Subcommittee also held a hearing on U.S. Interagency Council on Homelessness. Testimony was heard from Phillip Mangano, Executive Director, Interagency Council on Homelessness.

COMBATING PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

Committee on Armed Services: Ordered reported the following measures: H.R. 3966, amended, To amend title 10, United States Code, and the Homeland Security Act of 2002 to improve the ability of the Department of Defense to establish and maintain Senior Reserve Officer Training Corps units at institutions of higher education, to improve the ability of students to participate in Senior ROTC programs, and to ensure that institutions of higher education provide military recruiters entry to campuses and access to students that is at least equal in quality and scope to that provided to any other employer; S. 2057, To require the Secretary of Defense to reimburse members of the United States Armed Forces for certain transportation expenses by the members in connection with leave under the Central Command Rest and Recuperation Leave Program before the program was expanded to include domestic travel; H.R. 3104, To provide for the establishment of campaign medals to be awarded to members of the Armed Forces who participate in Operation Enduring Freedom or Operation Iraqi Freedom; and H. Con. Res. 374, amended, Expressing the sense of Congress that the Secretary of Defense, Federal banking agencies, the National Credit Union Administration, and the

Federal Trade Commission should work to mitigate the financial hardships experienced by members of the reserve component as a result of being called to active duty.

The Committee also held a hearing on Combating the Proliferation of Weapons of Mass Destruction. Testimony was heard from public witnesses.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—TRANSPORTATION COMMAND'S AIRLIFT AND SEALIFT PROGRAMS

Committee on Armed Services: Subcommittee on Projection Forces held a hearing on the Fiscal Year 2005 National Defense Authorization budget request—the U.S. Transportation Command's (USTRANSCOM) Airlift and Sealift Programs. Testimony was heard from GEN John W. Handy, USAF, Commander, U.S. Transportation Command, Department of Defense.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—UNMANNED COMBAT AIR VEHICLE AND UNMANNED AERIAL VEHICLE PROGRAMS

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on the Fiscal Year 2005 National Defense Authorization budget request—Department of Defense Unmanned Combat Air Vehicle (UCAV) and Unmanned Aerial Vehicle (UAV) Programs. Testimony was heard from the following officials of the Department of Defense: Glen Lamartin, Director, Defense Systems, Office of the Secretary; MG James D. Thurman, USA, Director, Army Aviation Task Force; and LTG Walter E. Buchanan, III, USAF, Commander, Central Command Air Forces and Commander, 9th Air Force; and the following officials of the GAO: Neal Curtin, Director, Defense Capabilities and Management; and Paul L. Francis, Director, Acquisition and Sourcing Management.

CONCURRENT BUDGET RESOLUTION; SPENDING CONTROL ACT

Committee on the Budget: Ordered reported the following measures: the Concurrent Budget Resolution for Fiscal Year 2005; and H.R. 3973, amended, Spending Control Act of 2004.

FISCAL RESPONSIBILITY AND FEDERAL CONSOLIDATION LOANS

Committee on Education and the Workforce: Held a hearing entitled "Fiscal Responsibility and Federal Consolidation Loans: Examining Cost Implications for Taxpayers, Students, and Borrowers." Testimony was heard from Cornelia M. Ashby, Director, Education, Workforce and Income Security, GAO; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Financial Services: Ordered reported the following measures: H.R. 27, amended, Small Public Housing Authority Act; H.R. 1914, Jamestown 400th Anniversary Commemorative Coin Act of 2003; H.R. 2131, To award a congressional gold medal to President Jose Maria Aznar of Spain; H.R. 2768, John Marshall Commemorative Coin Act; and H.R. 3277, Marine Corps 230th Anniversary Commemorative Coin Act.

MISCELLANEOUS MEASURES

Committee on Government Reform: Subcommittee on Civil Service and Agency Organization approved for full Committee action, as amended, the following bills: H.R. 3737, Administrative Law Judges Pay Reform Act of 2004; and H.R. 3751, To require that the Office of Personnel Management study and present options under which dental and vision benefits could be made available to Federal employees and retirees and other appropriate classes of individuals.

WORLD RADIO CONFERENCES—U.S. PREPARATION

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing on U.S. Preparation for the World Radio Conferences: Too little, too late? Testimony was heard from Jeffrey N. Shane, Under Secretary, Transportation Policy, Department of Transportation; William Readdy, Associate Administrator, Space Flight, NASA; Michael Gallagher, Acting Assistant Secretary, Communications and Information, National Telecommunications and Information Administration, Department of Commerce; Kathleen Abernathy, Commission, FCC; Ambassador David Gross, U.S. Coordinator, International Communications and Information Policy, Department of State; Lin Wells, Acting Assistant Secretary, NII (Networks and Information Integration), Department of Defense; and public witnesses.

U.S. AND ASIA: CONTINUITY, INSTABILITY AND TRANSITION

Committee International Relations: Subcommittee on Asia and the Pacific held a hearing on the United States and Asia: Continuity, Instability, and Transition, Testimony was heard from public wintesses.

MISCELLANEOUS MEASURES; CURRENT SITUATION IN SERBIA

Committee on International Relations: Subcommittee on Europe approved for full Committee action the following measures: H. Res. 543, House Commission For Assisting Democratic Parliaments Resolution; and H. Res. 558, amended, Welcoming the accession of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia to the North Atlantic Treaty Organization (NATO).

The Subcommittee also held a hearing on the Current Situation in Serbia. Testimony was heard from D. Kathleen Stephens, Deputy Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State; Daniel

Serwer, Director, Balkans Initiative, U.S. Institute of Peace; and a public witness.

DESIGNATION OF FOREIGN TERRORIST ORGANIZATIONS REFORM ACT

Committee on International Relations: Subcommittee on International Terrorism, Nonproliferation and Humans Rights approved for full Committee action H.R. 3978, Designation of Foreign Terrorist Organizations Reform Act.

EXAMINE NEW APPRAISAL OFFICER

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held a hearing to examine how the Department of Interior's new Appraisal Officer is functioning and how land exchanges are being evaluated. Testimony was heard from Lynn Scarlett, Assistant Secretary, Policy, Management, and Budget, Department of the Interior.

FINANCIAL SERVICES REGULATORY RELIEF ACT

Committee on Rules: Granted, by voice, vote, a structured rule providing one hour of general debate on H.R. 1375, Financial Services Regulatory Relief Act of 2003, equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill (except those arising under provisions of the Congressional Budget Act of 1974 other than section 302(f), prohibiting consideration of legislation providing new budget authority in excess of a committee's 302(a) allocation of such authority). The rule provides that the amendment in the nature of a substitute recommended by the Committee on Financial Services and the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment, and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute (except those arising under provisions of the Congressional Budget Act of 1974 other than section 302(f), prohibiting consideration of legislation providing new budget authority in excess of a committee's 302(a) allocation of such authority). The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Oxley, and Representatives Leach, Kelly, Gillmor, Frank of Massachusetts, Waters, Jackson-Lee of Texas and Weiner.

GREEN CHEMISTRY RESEARCH AND DEVELOPMENT ACT

Committee on Science: Held a hearing on H.R. 3970, Green Chemistry Research and Development Act of 2004. Testimony was heard from Arden Bement, Director, National Institute of Standards and Technology, Department of Commerce and Acting Director, NSF; Paul Gilman, Assistant Administrator, Research and Development, EPA; and public witnesses.

COMPUTER-ASSISTED PASSENGER PRESCREENING SYSTEM STATUS

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on the Status of the Computer-Assisted Passenger Prescreening System (CAPPS II). Testimony was heard from David M. Stone, Acting Administrator, Transportation Security Administration, Department of Homeland Security; Norman J. Rabkin, Managing Director, Homeland Security and Justice Division, GAO; and public witnesses.

DEPARTMENT OF VETERANS AFFAIRS—INFORMATION TECHNOLOGY PROGRAM

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing to examine the Department of Veterans Affairs Information Technology program. Testimony was heard from Linda Koontz Director, Information Management Issues, GAO: James C. Reardon, Chief Information Officer, Military Health System, Office of the Assistant Secretary (Health Affairs), Department of Defense; Robert N. McFarland, Assistant Secretary, Information and Technology; Department of Veterans Affairs; and public witnesses.

HIGHWAY REAUTHORIZATION TAX ACT

Committee on Ways and Means: Ordered reported, as amended, H.R. 3971, Highway Reauthorization Tax Act of 2004.

NATIONAL GEO-SPATIAL AGENCY PROGRAM BUDGET; COMMITTEE BUSINESS

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on National Geo-spatial Agency Program Budget. Testimony was heard from departmental witnessers.

The Committee also met in executive session to consider Committee business.

BORDER AND TRANSPORTATION SECURITY BUDGET PROPOSAL

Select Committee on Homeland Security: Subcommittee on Infrastructure and Border Security held a hearing entitled "The Department of Homeland Security's Border and Transportation Security (BTS) Budget Proposal." Testi-

mony was heard from Asa Hutchinson, Under Secretary, Border and Transportation Security, Department of Homeland Security.

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Thursday, March 18, 2004

Senate

Chamber Action

The Senate was not in session today. It will next meet on Monday, March 22, 2004, at 12 noon.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 16 public bills, H.R. 3993–4008; 1 private bill, H.R. 4009; and; 4 resolutions, H. Con. Res. 390–392, and H. Res. 571 were introduced. **Page 4664**

Additional Cosponsors: **Page 4665**

Reports Filed: Reports were filed today as follows:

H. Res. 522, expressing the sense of the House of Representatives that there is a critical need to increase awareness and education about heart disease and the risk factors of heart disease among women (H. Rept. 108–440). **Page 4664**

Chaplain: The prayer was offered today by Rabbi Elie Spitz, Congregation B'nai Israel in Tustin, California. **Page 4571**

Financial Services Regulatory Relief Act: The House passed H.R. 1375, to provide regulatory relief and improve productivity for insured depository institutions, by a yea-and-nay vote of 392 yeas to 25 nays, Roll No. 69. **Page 4581**

The amendment in the nature of a substitute recommended by the Committees on Financial Services and the Judiciary now printed in the bill was considered as an original bill for the purpose of amendment. **Page 4591**

Agreed to:

Oxley amendment that limits de novo branching for ILCs to those whose business is more than 85% financial in nature and, in the case of ILCs whose business is less than 85% in nature, limits branching to those ILCs who had Federal deposit insurance before October 1, 2003; strikes certain sections of the bill; makes technical corrections; **Page 4603**

Waters amendment that strikes a section of the bill that reduces the minimum waiting period from 15 calendar days to five calendar days for banks and bank holding companies to merge with or acquire other bank or bank holding companies after the Department of Justice has approved a bank merger; **Page 4605**

Bachus amendment that strikes the section of the bill relating to the liability standards applied to third-party independent contractors working for a bank; and **Page 4605**

Kelly/Toomey amendment that adds a new title at the end of the bill which removes the prohibition on banks from paying interest on business checking accounts and would allow the Federal Reserve to pay interest on so-called "sterile" reserves (agreed to by a recorded vote of 418 ayes with none voting "no", Roll No. 68). **Pages 4609, 4613**

Rejected:

Weiner amendment that prohibits commercial banks for charging a fee to the depositor of a check that is returned for insufficient funds (rejected by a recorded vote of 167 ayes to 255 noes, Roll No. 66); and **Pages 4606, 4612**

Jackson-Lee amendment that expresses the sense of Congress that in situations where a requesting agency obtains expedited action to approve a merger transaction application between multiple depository institutions, that careful consideration is placed on the impact that the transaction will have on affected communities and customers of any or all of the applicant institutions (rejected by a recorded vote of 194 ayes to 225 noes, Roll No. 67). **Pages 4608, 4613**

The Clerk was authorized to make technical and conforming changes to the bill. **Page 4615**

H. Res. 566, the rule providing for consideration of the bill was agreed to by a voice vote. **Page 4574**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Counter-Terrorism and Narco-Terrorism Rewards Program Act: Debated on March 17, H.R. 3782, amended, to amend the State Department Basic Authorities Act of 1956 to increase the maximum amount of an award available under the Department of State rewards program, to expand the eligibility criteria to receive an award, to authorize nonmonetary awards, to publicize the existence of the rewards program, by a ⅔ yea-and nay-vote of 414 yeas with none voting "nay", Roll No. 70; and **Page 4615**

Recognizing more than five decades of strategic partnership between the U.S. and the people of the Marshall Islands: Debated on March 17, H. Con. Res. 364, to recognize more than 5 decades of strategic partnership between the United States and the people of the Marshall Islands in the pursuit of international peace and security, by a ⅔ yea-and-nay vote of 408 yeas with none voting "nay", Roll No. 71. **Page 4616**

Committee on Standards of Official Conduct for the 108th Congress—Appointments: The Chair announced the Speaker's appointment of the following members to be available to serve on investigative subcommittees of the Committee on Standards of Official Conduct for the 108th Congress: Representatives Doolittle, Sam Johnson (TX), Lincoln Diaz-Balart (FL), English, Shadegg, Brady (TX), Simpson, Terry, Kirk, and Rehberg. **Page 4618**

Later, the Chair read a letter from the Minority Leader, wherein she appointed the following members to be available for service on an investigative subcommittee of the Committee on Standards of Official Conduct: Representatives Becerra, Cooper, Delahunt, McCarthy (NY), McIntyre, McNulty, Schiff, Scott (VA), Stupak, and Tauscher. **Page 4618**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at noon on Monday, March 22, and further that when it adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, March 23 for Morning Hour debate. **Page 4618**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, March 24. **Page 4618**

Quorum Calls—Votes: Three yea-and-nay votes and three recorded votes developed during the proceedings today and appear on pages 4612–16. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:54 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Agency and Related Agencies held a hearing on Food Safety and Inspection Service. Testimony was heard from the following officials of the USDA: Elsa A. Murano, Under Secretary, Food Safety; Barbara J. Masters, Acting Administrator, Food Safety and Inspection Service; and Stephen J. Dewhurst, Budget Officer.

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies held a hearing on the Patent and Trademark Office. Testimony was heard from Jon Dudas, Director, U.S. Patent and Trademark Office, Department of Commerce.

The Subcommittee also held a hearing on State and Local Law Enforcement Assistance. Testimony was heard from the following officials of the Department of Justice: Deborah J. Daniels, Assistant Attorney General, Office of Justice Programs; and Carl R. Peed, Director, Community Oriented Policing Services.

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing and Related Programs held a hearing on International HIV/AIDS Assistance Request. Testimony was heard from Ambassador Randall Tobias, Global AIDS Coordinator.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Office of Domestic Preparedness. Testimony was heard from Suzanne Mencer, Director, Office for Domestic Preparedness, Department of Homeland Security.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior held a hearing on Oversight: Presidio Trust. Testimony was heard from Craig Middleton, Executive Director, Presidio Trust, and a public witness.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on the Department of Education. Testimony was heard from the following officials of the Department of Education: Gene Hickok, Acting Deputy Secretary; and Ray Simon, Assistant Secretary, Elementary and Secondary Education.

DEPARTMENT—REDESIGNATION

Committee on Armed Services: Held a hearing on H.R. 1741, To redesignate the position of the Secretary of the Navy as the Secretary of the Navy and the Marine Corps. Testimony was heard from William S. Dudley, Director, Naval History, Naval Historical Center, Department of the Navy; and public witnesses.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—TRAINING TRANSFORMATION

Committee on Armed Services: Subcommittee on Readiness and the Subcommittee on Terrorism, Unconventional Threats and Capabilities held a joint hearing on the Fiscal Year 2005 National Defense Authorization budget request—Training Transformation—Examination of the Joint National Training Capability. Testimony was heard from the following officials of the Department of Defense: Paul W. Mayberry, Deputy Under Secretary (Readiness); MG Gordon Nash, USMC, Commander, Joint Warfighting Center, and Director, Joint Training, U.S. Joint Command, RADM David T. Hart, Jr., USN, Director, Fleet Readiness Division, and Michael P. Bailey, Technical Director, Technology Division, Training and

Education Command, U.S. Marine Corps, all with the Department of the Navy; BG Louis W. Weber, USA, Director of Training, Training Directorate (DAMO–TR), Department of the Army; and BG Norman R. Seip, USAF, Deputy Director, Operations and Training, Deputy Chief of Staff, Air and Space, Department of the Air Force.

DOE'S ATOMIC ENERGY DEFENSE ACTIVITIES BUDGET

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on the Department of Energy's Atomic Energy Defense Activities Budget. Testimony was heard from. The following officials of the Department of Energy: Ambassador Linton Brooks, Administrator, National Nuclear Security Administration; and Jessie Hill Roberson, Assistant Secretary, Environmental Management.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—DEFENSE HEALTH PROGRAMS

Committee on Armed Services: Subcommittee on Total Force held a hearing on the Fiscal Year 2005 National Defense Authorization Budget Request on Defense Health Programs—Current and Future Issues. Testimony was heard from the following officials of the Department of Defense: William Winkenwerder, Jr., M.D., Assistant Secretary, Health Affairs; Ltg. James B. Peake, M.D., USA, Surgeon General of the Army; VAdm. Michael L. Cowan, M.D., USN, Surgeon General of the Navy; and Ltg. George P. Taylor, Jr., M.D., USMC, Surgeon General of the Air Force; and public witnesses.

DEFINED BENEFIT PLANS—REFORM AND STRENGTHEN

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing entitled "Reforming and Strengthening Defined Benefit Plans: Examining the Health of the Multiemployer Pension System." Testimony was heard from Barbara Bovbjerg. Director, Education, Workforce, and Income Security Issues, GAO; and public witnesses.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION REAUTHORIZATION

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled "Reauthorization of the National Highway Traffic Safety Administration." Testimony was heard from Jeffrey W. Runge, M.D., Administrator, National Highway Traffic Safety Administration, Department of Transportation; and public witnesses.

INTER-GOVERNMENTAL TRANSFERS

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Inter-governmental Transfers: Violations of the Federal-State Medicaid Partnership or Legitimate State Budget Tool?" Testimony was heard from George Reeb, Assistant Inspector General, Centers for Medicare and Medicaid Audits, Office of Inspector General, Department of Health and Human Services; Kathryn G. Allen, Director, Health Care—Medicaid and Private Health Insurance Issues, GAO; and a public witness.

SUCCESSFUL HOMEOWNERSHIP AND RENTING THROUGH HOUSING COUNSELING

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing entitled "Successful Homeownership and Renting through Housing Counseling." Testimony was heard from John Weicher, Assistant Secretary, Housing/Federal Housing Commissioner, Department of Housing and Urban Development; and public witnesses.

THE HUNT FOR SADDAM'S MONEY

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled "The Hunt for Saddam's Money: U.S. and Foreign Efforts to Recover Iraq's Stolen Money." Testimony was heard from Juan Zarate, Deputy Assistant Secretary, Executive Office of Terrorist Financing and Financial Crimes, Department of the Treasury; Paul E. Simons, Deputy Assistant Secretary, Energy, Sanctions and Commodities, Bureau of Economic and Business Affairs, Department of State; and the following officials of the GAO: Joseph A. Christoff, Director, International Affairs and Trade; and Davi M. D'Agostino, Director, Financial Markets and Community Investment.

MISCELLANEOUS MEASURE; INTERNET PHARMACY CONSUMER PROTECTION ACT; COMMITTEE BUSINESS

Committee on Government Reform: Ordered reported H.R. 3917, To designate the facility of the United States Postal Service located at 695 Marconi Boulevard in Copiague, New York, as the "Maxine S. Postal United States Post Office."

The Committee held a hearing entitled "A Prescription for Safety: The Need for H.R. 3880, Internet Pharmacy Consumer Protection Act." Testimony was heard from William Hubbard, Associate Commissioner, Policy and Planning, FDA, USDA; and public witnesses.

The Committee also approved pending Committee business.

U.S.-RUSSIA RELATIONS—PUTIN'S SECOND TERM

Committee on International Relations: Held a hearing on U.S.-Russia Relations in Putin's Second Term. Testimony was heard from A. Elizabeth Jones, Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State; and public witnesses.

OVERSIGHT—US VISIT

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Claims, oversight hearing on US VISIT: A Down Payment on Homeland Security. Testimony was heard from the following officials of the Department of Homeland Security: Robert M. Jacksta, Executive Director, Border Security and Facilitation, U.S. Customs and Border Protection; Robert A. Mocny, Deputy Director, US VISIT Office; and Alfonso Martinez-Fonts, Jr., Special Assistant to the Secretary for Private Sector; and Randolph C. Hite, Director, Information Technology Architecture and Systems Issues, GAO.

ATLANTIC STRIPED BASS CONSERVATION ACT REAUTHORIZATION

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held a hearing on H.R. 3883, To reauthorize the Atlantic Striped Bass Conservation Act. Testimony was heard from John H. Dunnigan, Director, Office of Sustainable Fisheries, National Marine Fisheries Service, NOAA, Department of Commerce; W. P. Jensen, Deputy Secretary, Department of Natural Resources, State of Maryland; and public witnesses.

PRESIDENTIAL AWARDEES FOR EXCELLENCE IN MATH AND SCIENCE TEACHING

Committee on Science: Held a hearing on The Presidential Awardees for Excellence in Math and Science Teaching: A Lesson Plan for Success. Testimony was heard from public witnesses.

SPACE TRANSPORTATION—NASA AND DOD COOPERATION

Committee on Science: Subcommittee on Space and Aeronautics held a hearing on NASA-Department of Defense Cooperation in Space Transportation. Testimony was heard from Craig Steidle, Associate Administrator, Office of Exploration Systems, NASA; the following officials of the Department of Defense: Robert Dickman, Deputy for Military Space, Office of the Under Secretary of the Air Force; and Ron Sega, Director, Defense Research and Engineering and Chief Technical Adviser to the Secretary; and a public witness.

HEALTH SAVINGS ACCOUNTS

Committee on Small Business: Subcommittee on Workforce, Empowerment and Government Programs held a hearing entitled "The Benefits of Health Savings Accounts." Testimony was heard from Representative Crane; and public witnesses.

BUDGET REQUESTS—DEPARTMENT OF HOMELAND SECURITY

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management held a hearing on the Fiscal Year 2005 Budget Request for the Department of Homeland Security's Emergency Preparedness and Response Directorate, the Office of Domestic Preparedness, and First Responder Funding. Testimony was heard from Michael D. Brown, Under Secretary, Emergency Preparedness and Response, Department of Homeland Security.

HEALTH QUALITY INITIATIVES

Committee on Ways and Means: Subcommittee on Health held a hearing on Health Quality Initiatives. Testimony was heard from Carolyn Clancy, M.D., Director, Agency for Healthcare Research and Quality, Department of Health and Human Services; Glenn M. Hackbarth, Chairman, Medicare Payment Advisory Commission; and public witnesses.

SSA'S MANAGEMENT—TICKET TO WORK PROGRAM

Committee on Ways and Means: Subcommittee on Social Security held a hearing on the SSA's Management of the Ticket to Work Program. Testimony was heard from Martin H. Gerry, Deputy Commissioner, Disability and Income Security Programs, SSA; Troy R. Justesen, Acting Deputy Assistant Secretary, Office of Special Education and Rehabilitation Services, Department of Education; and public witnesses.

FASTER AND SMARTER FUNDING FOR FIRST RESPONDERS ACT

Select Committee on Homeland Security: Ordered reported, as amended, H.R. 3266, Faster and Smarter Funding for First Responders Act of 2003.

Joint Meetings

VETERANS PROGRAMS

Joint Hearings: Senate Committee on Veterans' Affairs and the House Committee on Veterans' Affairs concluded joint hearings to examine the legislative presentations of the Air Force Sergeants Association, Retired Enlisted Association, Gold Star Wives of America, and Fleet Reserve Association, after receiving testimony from CMSgt. Jim Lekovic, USAF (Ret.), Air Force Sergeants Association, Suitland, Maryland; Msgt. David L. Washington, USAF (Ret.), Retired Enlisted Association, Aurora, Colorado; Rachel Clinkscale, Gold Star Wives of America, Inc., Arlington, Virginia; and Joseph L. Barnes, Fleet Reserve Association, Alexandria, Virginia.

Monday, March 22, 2004

Senate

Chamber Action

Routine Proceedings, pages 4681–4798

Measures Introduced: Five bills and two resolutions were introduced, as follows: S. 2218–2222, S.J. Res. 30, and S. Res. 322. **Page 4708**

Measures Reported:

Reported on Thursday, March 18, during the adjournment:

Report to accompany S. 1172, to establish grants to provide health services for improved nutrition, increased physical activity, obesity prevention. (S. Rept. No. 108–245)

S. 2096, to promote a free press and open media through the National Endowment for Democracy and for other purposes. (S. Rept. No. 108–246)

S. 2127, to build operational readiness in civilian agencies. (S. Rept. No. 108–247)

S. 2144, to authorize appropriations for the Department of State and international broadcasting activities for fiscal year 2005, for the Peace Corps for fiscal year 2005 through 2007, for foreign assistance programs for fiscal year 2005, with amendments. (S. Rept. No. 108–248) **Page 4708**

Measures Passed:

The Garden Club of America: Committee on the Judiciary was discharged from further consideration of S. Con. Res. 97, recognizing the 91st annual meeting of The Garden Club of America, and the resolution was then agreed to. **Page 4787**

Jumpstart Our Business Strength (JOBS) Act: Senate resumed consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and taking action on the following amendments proposed thereto: **Page 4691**

Adopted:

Bunning Amendment No. 2686, to accelerate the phase-in of the deduction relating to income attributable to domestic production activities. **Pages 4691, 4701**

Grassley (for Bayh) Amendment No. 2687, to provide for the extension of certain expiring provisions. **Page 4691**

Grassley (for Bunning) Amendment No. 2882 (to Amendment No. 2687), to provide for the extension of the special net operating loss carryover provision. **Page 4700**

Pending:

Harkin Amendment No. 2881, to amend the Fair Labor Standards Act of 1938 to clarify provisions relating to overtime pay. **Page 4701**

McConnell Motion to Recommit the bill to the Committee on Finance, with instructions to report back forthwith the following amendment: **Page 4701**

McConnell (for Frist) Amendment No. 2886, in the nature of a substitute. **Page 4701**

A motion was entered to close further debate on the motion to recommit to the Committee on Finance (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, March 24, 2004. **Page 4702**

Appointments:

Helping to Enhance the Livelihood of People Around the Globe Commission: The Chair, on behalf of the Democratic Leader, pursuant to Public Law 108–199, appointed the following individuals to serve as members of the Helping to Enhance the Livelihood of People Around the Globe Commission: Leo J. Hindery, Jr., of New York, and Gayle E. Smith, of Washington, D.C. **Page 4788**

Abraham Lincoln Study Abroad Fellowship Program: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108–199, Section 104(c), 1(A), appointed the following individual to serve as a member of the Abraham Lincoln Study Abroad Fellowship Program: Ms. Christine Vick of Washington, D.C. **Page 4788**

Executive Reports of Committee:

The following executive reports of committee were submitted on Thursday, March 18, 2004, during the adjournment:

By Mr. Lugar, from the Committee on Foreign Relations:

Treaty Doc. 99–10 Income Tax Convention with Sri Lanka (Exec. Rept. No. 108–11)

Treaty Doc. 108–9 Protocol Amending Tax Convention with Sri Lanka (Exec. Rept. No. 108–11) **Page 4708**

Nominations Received: Senate received the following nominations:

Jonathan W. Dudas, of Virginia, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

Constance Berry Newman, of Illinois, to be an Assistant Secretary of State (African Affairs).

Jendayi Elizabeth Frazer, of Virginia, to be Ambassador to the Republic of South Africa.

Thomas Neil Hull III, of New Hampshire, to be Ambassador to the Republic of Sierra Leone.

R. Niels Marquardt, of California, a Career Member of the Senior Foreign Service, Class of Counselor to be Ambassador to the Republic of Cameroon, and to serve con-

currently and without additional compensation as Ambassador to the Republic of Equatorial Guinea.

Roger A. Meece, of Washington, to be Ambassador to the Democratic Republic of the Congo.

Lauren Moriarty, of Hawaii, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during her tenure of service as United States Senior Official to the Asia-Pacific Economic Cooperation Forum.

Mitchell B. Reiss, of Virginia, for the rank of Ambassador during his tenure of service as Special Envoy for Northern Ireland.

1 Air Force nomination in the rank of general.

3 Army nominations in the rank of general.

4 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army. **Page 4792**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Glen L. Bower, of Illinois, to be a Judge of the United States Tax Court for a term of fifteen years after he takes office, which was sent to the Senate on January 7, 2003. **Page 4798**

Measures Referred: **Page 4708**

Measures Placed on Calendar: **Page 4708**

Enrolled Bills Presented: **Page 4708**

Executive Reports of Committees: **Page 4708**

Additional Cosponsors: **Page 4708**

Statements on Introduced Bills/Resolutions: **Page 4710**

Additional Statements: **Page 4704**

Amendments Submitted: **Page 4715**

Notices of Hearings/Meetings: **Page 4787**

Authority for Committees to Meet: **Page 4787**

Privilege of the Floor: **Page 4787**

Adjournment: Senate convened at 12 noon, and adjourned at 6:54 p.m., until 9:45 a.m., on Tuesday, March 23, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 4788.)

Committee Meetings

DEMENTIA

Special Committee on Aging: Committee concluded a hearing to examine certain criminal situations involving seniors with dementia, focusing on a recent tragedy in Ocala, Florida, involving the death of a senior citizen suffering from dementia and the killing of a local police officer, after receiving testimony from Commander Gary Gotham, USN, Woodbridge, Virginia; Donna Cohen, University of South Florida Department of Aging and Mental Health, Tampa; Max B. Rothman, Florida International University College of Health and Urban Affairs, Miami; and Constantine G. Lyketos, Johns Hopkins University and Hospital, Baltimore, Maryland, on behalf of the Alzheimer's Association.

House of Representatives

Chamber Action

Additional Cosponsors: **Page 4860**

Reports Filed: Reports were filed today as follows:

H. Con. Res. 393, establishing the congressional budget for the United States Government for fiscal year 2005 and setting forth appropriate budgetary levels for fiscal years 2004 and 2006 through 2009 (H. Rept. 108–441); and

H.R. 3973, to amend part C of the Balanced Budget and Emergency Deficit Control Act of 1985 to extend the discretionary spending limits and pay-as-you-go through fiscal year 2009, amended (H. Rept. 108–442). **Page 4860**

Speaker: Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker pro tempore for today. **Page 4679**

Policy Committee of the White House Conference on Aging—Appointments: The Chair announced the Speaker's appointment of the following members on the part of the House to the Policy Committee of the White House Conference on Aging: Representatives Shaw and McKeon. **Page 4679**

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 12 noon and adjourned at 12:03 p.m.

Committee Meetings

No committee meetings were held.

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Tuesday, March 23, 2004

Senate

Chamber Action

Routine Proceedings, pages 4804–4908

Measures Introduced: Six bills and one resolution were introduced, as follows: S. 2223–2228, and S. Res. 323. **Page 4854**

Measures Passed:

Legal Representation: Senate agreed to S. Res. 323, to authorize legal representation in United States of America v. Elena Ruth Sassower. Page 4907

Jumpstart Our Business Strength (JOBS) Act: Senate continued consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, taking action on the following amendments proposed thereto: Page 4815

Pending:

Harkin Amendment No. 2881, to amend the Fair Labor Standards Act of 1938 to clarify provisions relating to overtime pay. Page 4815

McConnell Motion to Recommit the bill to the Committee on Finance, with instructions to report back forthwith the following amendment: Page 4815

McConnell (for Frist) Amendment No. 2886, in the nature of a substitute. Page 4815

Grassley Amendment No. 2898 (to the instructions (Amendment No. 2886) of the motion to recommit (listed above)), relative to the effective date following enactment of the Act. Page 4815

Grassley Amendment No. 2899 (to Amendment No. 2898), relative to the effective date following enactment of the Act. Page 4815

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Wednesday, March 24, 2004, with a vote to occur on the motion to invoke cloture on the motion to recommit the bill to the Committee on Finance to occur at 11:30 a.m. Page 4907

Appointments:

Joint Congressional Committee on Inaugural Ceremonies: The Chair, on behalf of the Vice President, pursuant to the provisions of S. Con. Res. 94 (108th Congress), appointed the following Senators to the Joint Congressional Committee on Inaugural Ceremonies: Senators Frist, Lott, and Dodd. Page 4907

Veteran's Disability Benefits Commission: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108–136, Title XV, Section 1501 (b)(1)(C), appointed the following individual to serve on the Veteran's Disability Benefits Commission: Charles Joeckel of Washington, D.C. Page 4907

Nominations Received: Senate received the following nominations:

Thomas Hill Moore, of Florida, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2003. (Reappointment)

James Francis Moriarty, of Virginia, to be Ambassador to the Kingdom of Nepal.

22 Navy nominations in the rank of admiral. Page 4908

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

Thomas Hill Moore, of Florida, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2002. (Reappointment), which was sent to the Senate on March 11, 2004. Page 4908

Executive Communications: Page 4853

Additional Cosponsors: Page 4854

Statements on Introduced Bills/Resolutions: Page 4856

Additional Statements: Page 4851

Amendments Submitted: Page 4862

Authority for Committees to Meet: Page 4906

Privilege of the Floor: Page 4907

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:33 p.m., until 9:30 a.m., on Wednesday, March 24, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 4907.)

Committee Meetings

ALZHEIMER'S DISEASE RESEARCH

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education and Related Agencies concluded a hearing to examine Alzheimer's disease support and research, focusing on the costs of care to families, government, and business, the biology of the disease, medical history, physical examinations, and mental status and neurological evaluations, after receiving testimony from Richard J. Hodes, Director, National Institute on Aging, National Institutes of Health, Department of Health and Human Services; Sheldon Goldberg, Chicago, Illinois, Shelly Fabares, Studio City, California, and Dennis Kroucik, Cleveland, Ohio, all on behalf of the Alzheimer's Association; David Snowden, University of Kentucky Department of Neurology, Lexington; and Johnny Orr, West Des Moines, Iowa.

APPROPRIATIONS: DEPARTMENT OF HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Homeland Security concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Transportation Security Administration and U.S. Coast Guard, after receiving testimony from Admiral Thomas H. Collins, Commandant, U.S. Coast Guard, and Admiral David Stone, Acting Administrator, Transportation Security Administration, both of the Department of Homeland Security.

FBI

Committee on Appropriations: Subcommittee on Commerce, Justice, and State, the Judiciary and Related Agencies concluded a hearing to examine the transformation of the Federal Bureau of Investigation, focusing on information technology, management and training, after receiving testimony from Robert S. Mueller III, Director, Federal Bureau of Investigation, and Glenn A. Fine, Inspector General, both of the Department of Justice; Laurie E. Ekstrand, Director, Homeland Security and Justice Issues, and Randolph C. Hite, Director, Information Technology Architecture and Systems Issues, both of the General Accounting Office.

APPROPRIATIONS: DEPARTMENT OF ENERGY

Committee on Appropriations: Subcommittee on Energy and Water Development concluded a hearing to examine proposed budget estimates for fiscal year 2005 for Department of Energy's Office of National Nuclear Security Administration, after receiving testimony from Linton F. Brooks, Under Secretary for Nuclear Security and Administrator, Admiral Frank L. Bowman, USN, Director, Naval Reactors Program, U.S. Navy, Everet H. Beckner, Deputy Administrator, Office of Defense Programs, Paul M. Longsworth, Deputy Administrator, Office of Defense Nuclear Nonproliferation, all of the National Nuclear Security Administration, Department of Energy.

DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded a hearing to examine the Defense Authorization request for fiscal year 2005, focusing on atomic energy defense activities of the Department of Energy, after receiving testimony from Spencer Abraham, Secretary of Energy.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded a hearing to examine the Defense Authorization request for fiscal year 2005, focusing on financial management, after receiving testimony from Dov S. Zakheim, Under Secretary of Defense (Comptroller); and David M. Walker, Comptroller General of the United States, General Accounting Office.

MUTUAL FUND INDUSTRY

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine current investigations and regulatory actions regarding the mutual fund industry, focusing on fund operations and governance, after receiving testimony from Mercer E. Bullard, University of Mississippi School of Law, Oxford, on behalf of Fund Democracy; William D. Lutz, Rutgers University, Camden, New Jersey; Robert C. Pozen, Harvard Law School, Boston, Massachusetts, on behalf of Massachusetts Financial Services Investment Management; and Barbara Roper, Consumer Federation of America, Washington, D.C.

RAIL SECURITY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine rail and mass transit security, focusing on efforts by the Federal, State and local governments and transit and rail operators to respond to vulnerabilities in rail and transit systems to improve security against further terrorist attacks, after receiving testimony from Senators Carper and Biden; Asa Hutchinson, Under Secretary of Homeland Security for Border and Transportation Security; Allan Rutter, Administrator, Federal Railroad Administration, and Robert Jamison, Deputy Administrator, Federal Transit Administration, both of the Department of Transportation; Peter F. Guerrero, Director, Physical Infrastructure Issues, General Accounting Office; Jack Riley, RAND Corporation, Arlington, Virginia; Edward R. Hamberger, Association of American Railroads, and William W. Millar, American Public Transportation Association, both of Washington, D.C.; and John O'Connor, National Railroad Passenger Corporation, New York, New York.

SPY BLOCK ACT

Committee on Commerce, Science, and Transportation: Subcommittee on Communications concluded a hearing to examine S. 2145, to regulate the unauthorized installation of computer software, to require clear disclosure to computer users of certain computer software features that may pose a threat to user privacy, after receiving testimony from Avi Z. Naider, WhenU.com Inc., New York, New York; Robert W. Holleyman II, Business Software Alliance, and Jerry Berman, Center for Democracy and Technology, both of Washington, D.C.; and John Levine, Taughannock Networks, Trumansburg, New York.

U.N. CONVENTION ON THE LAW OF THE SEA

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine the implementation of the United Nations Convention on the Law of the Sea (Treaty Doc. 103–39), after receiving testimony from Senator Stevens; John F. Turner, Assistant Secretary of State, Bureau of Oceans and International Environmental and Scientific Affairs; Paul L. Kelly, Rowan Companies, Inc., Houston, Texas, on behalf of the U.S. Commission on Ocean Policy Bernard H. Oxman, University of Miami School of Law, Coral Gables, Florida; Frank J. Gaffney, Jr., Center for Security Policy, Washington, D.C.; and Peter M. Leitner, Arlington, Virginia.

U.S.-MEXICO RELATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the current status of United States and Mexico relations, focusing on immigration policy and the bilateral relationship, and related provisions of S. 1461, S. 2010, S. 1645, and S. 1545, after receiving testimony from Senators Hagel, McCain, Craig, Durbin, and Cornyn; Roger F. Noriega, Assistant Secretary of State for Western Hemisphere Affairs; C. Stewart Verdery, Assist-

ant Secretary for Border and Transportation Security Policy and Planning, and Eduardo Aguirre, Jr., Director, U.S. Citizenship and Immigration Services, both of the Department of Homeland Security; and Stephen E. Flynn, Council on Foreign Relations, Demetrios G. Papademetriou, Migration Policy Institute, and Arturo A. Valenzuela, Georgetown University Edmund A. Walsh School of Foreign Service, all of Washington, D.C.

CONSTITUTIONAL MARRIAGE AMENDMENT

Committee on the Judiciary: Committee held a hearing to examine S.J. Res. 26, proposing an amendment to the Constitution of the United States relating to marriage, receiving testimony from Senator Allard; Representatives Frank, Lewis (GA), and Musgrave; Phyllis G. Bossin, Cincinnati, Ohio, on behalf of the American Bar Association; Teresa Stanton Collett, St. Thomas University School of Law, Minneapolis, Minnesota; Richard Richardson, St. Paul African Methodist Episcopal Church, Boston, Massachusetts, on behalf of the Black Ministerial Alliance of Greater Boston; Katherine S. Spaht, Louisiana State University Law Center, Baton Rouge; and Cass R. Sunstein, University of Chicago Law School and Department of Political Science, Chicago, Illinois.

Hearings recessed subject to the call.

INTELLECTUAL PROPERTY THEFT

Committee on the Judiciary: Committee concluded a hearing to examine the challenges and solutions involving the counterfeiting and theft of tangible intellectual property, focusing on protecting U.S. intellectual property owners' assets overseas, after receiving testimony from Jon W. Dudas, Acting Under Secretary of Commerce for Intellectual Property and Acting Director of the Patent and Trademark Office; Christopher A. Wray, Assistant Attorney General, Criminal Division, Department of Justice; James Mendenhall, Assistant United States Trade Representative for Intellectual Property, Office of the United States Trade Representative; Earl Anthony Wayne, Assistant Secretary of State for Economic and Business Affairs; Thomas J. Donohue, United States Chamber of Commerce, Brad Buckles, Recording Industry Association, and Timothy P. Trainer, International AntiCounterfeiting Coalition, Inc., all of Washington, D.C.; Richard K. Willard, The Gillette Company, Boston, Massachusetts; and Vanessa Price, Burton Snowboards, Burlington, Vermont.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

INTERNET FRAUD AND SENIORS

Special Committee on Aging: Committee concluded a hearing to examine the impact of Internet fraud on seniors, focusing on congressional efforts to ensure that federal and state enforcement agencies take the proper steps to protect seniors and prosecute cybercriminals, after receiving testimony from David E. Nahmias, Deputy Assistant Attorney General, Criminal Division, Department of Justice; Lawrence E. Maxwell, Assistant Chief Inspector, U.S. Postal Inspection Service; and J. Howard Beales III, Director, Bureau of Consumer Protection, Federal Trade Commission; Tanya Solov, North American Securities Administrators Association, Chicago, Illinois; David Jevans, Anti-Phishing Working Group, Redwood City, California; and Jeffrey Groover, Yazoo City, Mississippi.

House of Representatives

Chamber Action

Measures Introduced: 9 public bills, H.R. 4010–4018; and 3 resolutions, H. Con. Res. 394–395, and H. Res. 572, were introduced. **Page 4952**

Additional Cosponsors: **Page 4953**

Reports Filed: Reports were filed today as follows:

H.R. 3966, to amend title 10, United States Code, and the Homeland Security Act of 2002 to improve the ability of the Department of Defense to establish and maintain Senior Reserve Officer Training Corps units at institutions of higher education, to improve the ability of students to participate in Senior ROTC programs, and to ensure that institutions of higher education provide military recruiters entry to campuses and access to students that is at least equal in quality and scope to that provided to any other employer, amended (H. Rept. 108–443, Pt. 1);

H.R. 3971, to amend the Internal Revenue Code of 1986 to credit the Highway Trust Fund with the full amount of fuel taxes, to combat fuel tax evasion, amended (H. Rept. 108–444); and

H.R. 3873, to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to provide children with access to food and nutrition assistance, to simplify program operations, to improve children's nutritional health, and to restore the integrity of child nutrition programs, amended (H. Rept. 108–445). **Page 4952**

Speaker: Read a letter from the Speaker wherein he appointed Representative King of Iowa to act as Speaker Pro Tempore for today. **Page 4909**

Recess: The House recessed at 12:45 p.m. and reconvened at 2 p.m. **Page 4910**

Journal: Agreed to the Speaker's approval of the Journal of Monday, March 22, by a yea-and-nay vote of 380 yeas to 26 nays with one voting "present", Roll No. 72. **Pages 4910, 4923**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Hydrographic Services Amendments of 2003: H.R. 958, amended, to authorize certain hydrographic services programs, to name a cove in Alaska in honor of the late Able Bodied Seaman Eric Steiner Koss, by a ⅔ yea-and-nay vote of 384 yeas to 23 nays, Roll No. 73; **Pages 4912, 4924**

National Wildlife Refuge Volunteer Act of 2003: H.R. 2408, amended, to amend the Fish and Wildlife Act of 1956 to reauthorize volunteer programs and community partnerships for national wildlife refuges, by a ⅔ yea-and-nay vote of 401 yeas to 10 nays, Roll No. 74; and **Pages 4913, 4925**

Agreed to amend the title so as to read: to amend the Fish and Wildlife Act of 1956 to reauthorize volunteer programs and community partnerships for national wildlife refuges, and for other purposes. **Page 4926**

Cowlitz Indian Tribe Distribution of Judgment Funds Act: H.R. 2489, amended, to provide for the distribution of judgment funds to the Cowlitz Indian Tribe, by a ⅔ yea-and-nay vote of 404 yeas with none voting "nay", Roll No. 75. **Pages 4914, 4926**

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further proceedings will be postponed until Wednesday, March 24.

Organ Donation and Recovery Improvement Act: H.R. 3926, to amend the Public Health Service Act to promote organ donation; and **Page 4917**

Expressing the sense of the House of Representatives that there is a need to increase awareness and education about heart disease and its risk factors among women: H. Res. 522, expressing the sense of the House of Representatives that there is a critical need to increase awareness and education about heart disease and the risk factors of heart disease among women. **Page 4921**

Recess: The House recessed at 3:04 p.m. and reconvened at 6:30 p.m. **Page 4923**

Budget Resolution for FY 2005—Order of Business: The House agreed that it be in order at any time for the Speaker to declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of H. Con. Res. 393, establishing the congressional budget for the United States Government for fiscal year 2005 and setting forth appropriate budgetary levels for fiscal years 2004 and 2006 through 2009, and that consideration of the concurrent resolution proceed according to the following order: the first read of the concurrent resolution is dispensed with; all points of order against consideration of the concurrent resolution are waived; general debate shall be confined to the congressional budget and shall not exceed six hours equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, provided that one hour of such debate be on the subject of economic goals and policies and shall be controlled by Representatives Saxton and Stark or their designees; after general debate, the Committee of the Whole shall rise without motion; and that no further consideration of H. Con. Res. 393 shall be in order except pursuant to a subsequent order of the House. **Page 4926**

Committee Discharge and Re-referral: The House agreed that the Committee on Agriculture be discharged from the consideration of H.R. 3997 and that the bill be re-referred to the Committee on Resources. **Page 4926**

Senate Message: Message received from the Senate today appears on page 4911.

Senate Referrals: S. Con. Res. 97 was referred to the Committee on Government Reform. **Page 4951**

Amendments: Amendments ordered printed pursuant to the rule appear on page 4953.

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings today and appear on pages 4924–26. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:50 p.m.

Committee Meetings

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a meeting on Education Programs. Testimony was heard from public witnesses.

"LEGAL AND PRACTICAL ISSUES RELATED TO THE FAITH-BASED INITIATIVE"

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Legal and Practical Issues Related to the Faith-Based Initiative." Testimony was heard from public witnesses.

IDENTITY THEFT PENALTY ENHANCEMENT ACT; IDENTITY THEFT INVESTIGATION AND PROSECUTION ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on the following bills: H.R. 1731, Identity Theft Penalty Enhancement Act; and H.R. 3693, Identity Theft Investigation and Prosecution Act of 2003. Testimony was heard from Timothy Coleman, Counsel to the Assistant Attorney General, Criminal Division, Department of Justice; Larry Johnson, Special Agent in Charge, Criminal Investigative Division, U.S. Secret Service, Department of Homeland Security; and public witnesses.

CURRENT BUDGET PROCESS—CONSIDER NEW REFORM AND ENFORCEMENT PROPOSALS

Committee on Rules: Subcommittee on Legislative and Budget Process concluded hearings to assess the effectiveness of the current budget process and consider new reform and enforcement proposals—Part II. Testimony was heard from Douglas Holtz-Eakin, Director, CBO; David M. Walker, Comptroller General, GAO; and public witnesses.

CIA COMPENSATION REFORM

Permanent Select Committee on Intelligence: Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to hold a hearing on CIA Compensation Reform. Testimony was heard from departmental witnesses.

Joint Meetings

POSTAL REFORM

Joint Hearing: Senate Committee on Governmental Affairs concluded a joint hearing with the House Committee on Government Reform to examine U.S. Postal Service reform issues, focusing on revenue and cost allocation, after receiving testimony from John W. Snow, Secretary, and Brian C. Roseboro, Acting Under Secretary for Domestic Finance, both of the Department of the Treasury; David Fineman, Chairman, U.S. Postal Service Board of Governors; and John E. Potter, Postmaster General, U.S. Postal Service.

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Wednesday, March 24, 2004

Senate

Chamber Action

Routine Proceedings, pages 4969–5039

Measures Introduced: Two bills were introduced, as follows: S. 2229–2230. **Page 5017**

Measures Passed:

Oceans and Human Health Act: Senate passed S. 1218, to provide for Presidential support and coordination of interagency ocean science programs and development and coordination of a comprehensive and integrated United States research and monitoring program, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 5032**

Frist (for Hollings) Amendment No. 2933, to revise the interagency oceans and human health research program provisions of the reported bill. **Page 5038**

International Fisheries Reauthorization Act: Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 2584, to provide for the conveyance to the Utrok Atoll local government of a decommissioned National Oceanic and Atmospheric Administration ship, and the bill was then passed, after agreeing to the following amendments proposed thereto: **Page 5038**

Frist (for Collins) Amendment No. 2934, to repeal section 105 of the Consolidated Appropriations Act, 2004. **Page 5038**

Frist (for McCain) Amendment No. 2935, to provide for implementation of the Pacific Albacore Tuna Treaty. **Page 5038**

Jumpstart Our Business Strength (JOBS) Act: Senate continued consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, taking action on the following amendments proposed thereto: **Page 4980**

Pending:

Harkin Amendment No. 2881, to amend the Fair Labor Standards Act of 1938 to clarify provisions relating to overtime pay. **Page 4980**

McConnell Motion to Recommit the bill to the Committee on Finance, with instructions to report back forthwith the following amendment: **Page 4980**

McConnell (for Frist) Amendment No. 2886, in the nature of a substitute. **Page 4980**

Grassley Amendment No. 2898 (to the instructions (Amendment No. 2886) of the motion to recommit (listed above)), relative to the effective date following enactment of the Act. **Page 4980**

Grassley Amendment No. 2926 (to Amendment No. 2898), relative to the effective date following enactment of the Act. **Page 4982**

Frist motion to reconsider the vote by which the motion to invoke cloture on McConnell Motion to Recommit the bill to the Committee on Finance (listed above) failed. **Page 4986**

Withdrawn:

Grassley Amendment No. 2899 (to Amendment No. 2898), relative to the effective date following enactment of the Act. **Page 4981**

Grassley (for Hutchison) Amendment No. 2888 (to Amendment No. 2898), to allow a deduction for State and local sales taxes in lieu of State and local income taxes. **Page 4981**

During consideration of this measure today, Senate also took the following action:

By 51 yeas to 47 nays (Vote No. 60), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on McConnell Motion to Recommit the bill to the Committee on Finance (listed above). Page 4987

A unanimous-consent agreement was reached providing that when the Senate resumes consideration of the bill, no second degree amendments be in order to the pending Harkin Amendment No. 2881 (listed above), prior to a vote in relation to the amendment.

Unborn Victims of Violence Act—Agreement: Pursuant to the order of March 12, 2004, Senate will begin consideration of H.R. 1997, to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, at 10:30 a.m., on Thursday, March 25, 2004. Page 5039

Messages From the House: Page 5016

Measures Referred: Page 5016

Executive Communications: Page 5016

Executive Reports of Committees: Page 5017

Additional Cosponsors: Page 5017

Amendments Submitted: Page 5018

Authority for Committees to Meet: Page 5022

Privilege of the Floor: Page 5023

Text of S. Con. Res. 95, as Previously Agreed To: Page 5023

Record Votes: One record vote was taken today. (Total—60) Page 4987

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:20 p.m., until 9:30 a.m., on Thursday, March 25, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 5039.)

Committee Meetings

ANIMAS-LA PLATA PROJECT

Committee on Appropriations: Subcommittee on Energy and Water Development concluded a hearing to examine the cost estimate to complete the Bureau of Reclamation's Animas-La Plata Project designed to divert, pump, store, and convey water from the Animas River at Durango, Colorado to provide water for both Indian and non-Indian municipal and industrial uses in Colorado and New Mexico, after receiving testimony from Bennett W. Raley, Assistant Secretary for Water and Science, and William E. Rinne, Deputy Commissioner, Bureau of Reclamation, both of the Department of the Interior; Howard Richards, Southern Ute Indian Tribe, Ignacio, Colorado; Selwyn Whiteskunk, Ute Mountain Ute Tribe, Towaoc, Colorado; Richard K. (Mike) Griswold, Animas-La Plata Water Conservancy District, Durango, Colorado; and L. Randy Kirkpatrick, San Juan Water Commission, Farmington, New Mexico.

APPROPRIATIONS: DEPARTMENT OF THE AIR FORCE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of the Air Force, after receiving testimony from James G. Roche, Secretary of the Air Force; and General John P. Jumper, USAF, Chief of Staff, U.S. Air Force.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine the proposed Defense Authorization Request for fiscal year 2005, focusing on strategic forces and capabilities, after receiving testimony from Linton F. Brooks, Under Secretary of Energy for Nuclear Security and Administrator, National Nuclear Security Administration; and Admiral James O. Ellis, Jr., USN, Commander, United States Strategic Command.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Airland concluded a hearing to examine the Defense Authorization request for fiscal year 2005 and future years defense program, focusing on Navy and Air Force aviation programs, after receiving testimony from John J. Young, Jr., Assistant Secretary of the Navy for Research, Development, and Acquisition; Marvin R. Sambur, Assistant Secretary of the Air Force for Acquisition; Vice Admiral John B. Nathman, USN, Deputy Chief of Naval Operations for Warfare Requirements and Programs; Lieutenant General Michael A. Hough, USMC, Deputy Commandant for Aviation, Headquarters, U.S. Marine Corps; and Lieutenant General Ronald E. Keys, USAF, Deputy Chief of Staff for Air and Space Operations, Headquarters, U.S. Air Force.

REAL ESTATE APPRAISAL REGULATION

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing and Transportation concluded a hearing to examine the current status of the real estate appraisal industry, and its Federal and State oversight and regulation, focusing on certain private entities as outlined in Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, that establish uniform rules for real estate appraisals and set minimum criteria for certifying appraisers, after receiving testimony from David G. Wood, Director, Financial Markets and Community Investment, General Accounting Office; Steven D. Fritts, Associate Director Risk Management/Examination Support, Division of Supervision and Consumer Protection, Federal Deposit Insurance Corporation, on behalf of Federal Financial Institutions Examination Council; David S. Bunton, The Appraisal Foundation, Washington, D.C.; Charles Clark, Georgia Real Estate Com-

mission, Atlanta, on behalf of Georgia Real Estate Appraisers Board; Alan E. Hummel, Iowa Residential Appraisal Company, Des Moines, on behalf of Appraisal Institute; and Eugene G. Kaczkowski, American Appraisal Associates, Inc., Milwaukee, Wisconsin, on behalf of American Society of Appraisers.

MARITIME SECURITY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the state of maritime security, focusing on the impact of security efforts on maritime commerce, and the additional measures that may be needed to further enhance maritime transportation security, after receiving testimony from Admiral Thomas H. Collins, Commandant, U.S. Coast Guard, Robert C. Bonner, Commissioner, U.S. Customs and Border Protection, Admiral David M. Stone, USN (Ret), Acting Administrator, Transportation Security Administration, all of the Department of Homeland Security; Christopher Koch, World Shipping Council, and James J. Carafano, Heritage Foundation, both of Washington, D.C.; Gary P. LaGrange, Board of Commissioners of the Port of New Orleans, New Orleans, Louisiana; and Mike Mitre, International Longshore and Warehouse Union, Wilmington, California.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 1910, to direct the Secretary of Agriculture to carry out an inventory and management program for forests derived from public domain land;

H.R. 620, to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist the State of California or local educational agencies in California in providing educational services for students attending schools located within the Park, with an amendment in the nature of a substitute; and

The nomination of Sue Ellen Wooldridge, of Virginia, to be Solicitor of the Department of the Interior.

PUBLIC LANDS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 433, to provide for enhanced collaborative forest stewardship management within the Clearwater and Nez Perce National Forests in Idaho, S. 2180, to direct the Secretary of Agriculture to exchange certain lands in the Arapaho and Roosevelt National Forests in the State of Colorado, and H.R. 1964, to assist the States of Connecticut, New Jersey, New York, and Pennsylvania in conserving priority lands and natural resources in the Highlands region, after receiving testimony from Senator Corzine; Representative Frelinghuysen; David Tenny, Deputy Under Secretary of Agriculture for Natural Resources and Environment; Robert W. McIntosh, Associate Regional Director for Planning and Partnerships, Northeast Region, National Park Service, Department of the Interior; Thomas A. Gilbert, Highlands Coalition, Titusville, New Jersey; Bonner R. Cohen, National Center for Public Policy Research, Washington, D.C.; Rick Johnson, Idaho Conservation League, Boise; and Susie Borowicz, Elk City, Idaho.

NATURAL GAS SUPPLY

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine the environmental impacts of the United States natural gas supply, focusing on the price outlook, and pipeline projects, after receiving testimony from Rhode Island Governor Donald L. Carcieri, Providence; Marjorie West, Sheridan, Wyoming, on behalf of the Powder River Basin Resource Council and the Western Organization of Resource Councils; Joel Bluestein, Energy and Environmental Analysis, Inc., Arlington, Virginia; Dennis M. Bailey, PPG Industries, Pittsburgh, Pennsylvania; Michael C. Caskey, Fidelity Exploration and Production Company, and George Handley, Eclipse Exploration Corporation, both of Denver, Colorado; Stephen H.M. Bloch, Southern Utah Wilderness Alliance, Salt Lake City; and Bob Drake, Oklahoma City, Oklahoma, on behalf of the Oklahoma Farm Bureau and the American Farm Bureau Federation.

CREDIT COUNSELING INDUSTRY

Committee on Governmental Affairs: Permanent Subcommittee on Investigations concluded a hearing to examine the role and tax-exempt status of not-for-profit credit counseling agencies, focusing on cases of misconduct among credit card counseling agencies and their not-for-profit service providers and what solutions may be available to repair the industry, after receiving testimony from Mark W. Everson, Commissioner, Internal Revenue Service, Department of the Treasury; Thomas B. Leary, Commissioner, Federal Trade Commission; Chris Viale, Cambridge Credit Counseling Corporation, Agawam, Massachusetts; Matthew Case, AmeriDebt, Inc., and Andris Pukke, Debtworks, Inc., both of Germantown, Maryland; Cuba M. Craig, American Financial Solutions, Seattle, Washington; James Kroening, FamilyMeans Consumer Credit Counseling Service, Stillwater, Minnesota; Michael Malesardi, Ballenger Group, LLC, Frederick, Maryland; Bernaldo Dancel, Ascend One Corporation/Amerix Corporation, Columbia, Maryland; Raymond Schuck, Lima, Ohio; John Pohlman, East Granby, Connecticut; Jolanta Troy, Carlisle, Pennsylvania; and Johnpaul Allen, New Market, Maryland.

INDIAN GAMING REGULATORY ACT AMENDMENTS

Committee on Indian Affairs: Committee concluded a hearing to examine S. 1529, to amend the Indian Gaming Regulatory Act to include provisions relating to the payment and administration of gaming fees, after receiving

testimony from George T. Skibine, Acting Deputy Assistant Secretary of the Interior for Policy and Economic Development; and Philip N. Hogen, National Indian Gaming Commission, and Ernest L. Stevens, Jr. and Mark Van Norman, both of the National Indian Gaming Association, all of Washington, D.C.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of Paul S. Diamond, to be United States District Judge for the Eastern District of Pennsylvania, after the nominee, who was introduced by Senators Specter and Santorum, testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 4019–4029; and 4 resolutions, H. Res. 573–576, were introduced.

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Additional Cosponsors: **Page 5153**

Reports Filed: Reports were filed today as follows:

H. Res. 574, providing for further consideration of H. Con. Res. 393, establishing the congressional budget for the United States Government for fiscal year 2005 and setting forth appropriate budgetary levels for fiscal years 2004 and 2006 through 2009 (H. Rept. 108–446).

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Speaker: Read a letter from the Speaker wherein he appointed Representative LaHood to act as Speaker Pro Tempore for today. **Page 5040**

Chaplain: The prayer was offered today by Don Aldo Brunacci of Casa Papa Giovanni in Assisi, Italy.

Page 5040

Journal: Agreed to the Speaker's approval of the Journal of Monday, March 22, by a yea-and-nay vote of 377 yeas to 35 nays with one voting "present", Roll No. 78.

Pages 5040, 5062

Suspensions: The House agreed to suspend the rules and pass the following measures:

Organ Donation and Recovery Improvement Act: Debated on March 23, H.R. 3926, to amend the Public Health Service Act to promote organ donation, by a ⅔ yea-and-nay vote of 414 yeas to 2 nays, Roll No. 76;

Page 5060

Expressing the sense of the House of Representatives that there is a need to increase awareness and education about heart disease and its risk factors among women: Debated on March 23, H. Res. 522, expressing the sense of the House of Representatives that there is a critical need to increase awareness and education about heart disease and the risk factors of heart disease among women, by a ⅔ yea-and-nay vote of 420 yeas with none voting "nay", Roll No. 77; **Page 5061**

Multidistrict Litigation Restoration Act of 2004: H.R. 1768, amended, to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, by a ⅔ yea-and-nay vote of 418 yeas with none voting "nay", Roll No. 79; **Pages 5044, 5062**

Recognizing and honoring the United States Armed Forces and supporting the designation of a National Military Appreciation Month: H. Con. Res. 328, amended, recognizing and honoring the United States Armed Forces and supporting the designation of a National Military Appreciation Month, by a ⅔ yea-and-nay vote of 424 yeas with none voting "nay" and one voting "present", Roll No. 80; **Pages 5047, 5109**

Agreed to amend the title so as to read: Recognizing and honoring the United States Armed Forces and supporting the goals and objectives of a National Military Appreciation Month. **Page 5110**

Lloyd L. Burke Post Office Building Designation Act: H.R. 3059, to designate the facility of the United States Postal Service located at 304 West Michigan Street in Stuttgart, Arkansas, as the "Lloyd L. Burke Post Office", by a ⅔ yea-and-nay vote of 425 yeas with none voting "nay", Roll No. 81; **Pages 5048, 5110**

Child Nutrition Improvement and Integrity Act: H.R. 3873, amended, to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to provide children with access to food and nutrition assistance, to simplify program operations, to improve children's nutritional health, and to restore the integrity of child nutrition programs, by a ⅔ yea-and-nay vote of 419 yeas to 5 nays, Roll No. 82; and

Pages 5063, 5111

Celebrating the 50th anniversary of the International Geophysical Year (IGY) and supporting an International Geophysical Year–2 (IGY–2) in 2007–08: H. Con. Res. 189, amended, celebrating the 50th anniversary of the International Geophysical Year (IGY) and supporting an International Geophysical Year–2 (IGY–2) in 2007–08, by a ⅔ yea-and-nay vote of 420 yeas to 3 nays, Roll No. 83. **Pages 5081, 5112**

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further proceedings were postponed until Thursday, March 25.

Community Recognition Act of 2003: H.R. 3095, amended, to amend title 4, United States Code, to make sure the rules of etiquette for flying the flag of the United States do not preclude the flying of flags at half mast when ordered by city and local officials; **Page 5046**

Bureau of Engraving and Printing Security Printing Act of 2004: H.R. 3786, to authorize the Secretary of the Treasury to produce currency, postage stamps, and other security documents at the request of foreign governments on a reimbursable basis; **Page 5049**

District of Columbia and United States Territories Circulating Quarter Dollar Program Act: H.R. 2993, to provide for a circulating quarter dollar coin program to honor the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands; and **Page 5051**

Authorizing the President of the United States to agree to certain amendments to the Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank: Agreed to the Senate amendment to H.R. 254, to authorize the President of the United States to agree to certain amendments to the Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank—clearing the measure for the President; **Page 5055**

Budget Resolution for FY 2005: The House began consideration of H. Con. Res. 393, establishing the congressional budget for the United States Government for fiscal year 2005 and setting forth appropriate budgetary levels for fiscal years 2004 and 2006 through 2009. Further consideration will continue on Thursday, March 25.

Pages 5083, 5112, 5120

The concurrent resolution was considered under a unanimous consent agreement reached on Tuesday, March 23.

Veterans' Disability Benefits Commission—Appointment: The Chair announced the Speaker's appointment of Mr. Nick B. Bacon of Rosebud, Arkansas and Mr. Donald M. Cassiday of Aurora, Illinois to the Veterans' Disability Benefits Commission. **Page 5112**

Select Committee on Homeland Security—Appointment: The Chair announced the Speaker's appointment of Representative Chandler to the Select Committee on Homeland Security. **Page 5120**

Quorum Calls—Votes: Eight yea-and-nay votes developed during the proceedings today and appear on pages 5060–63 and 5110–12. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12 midnight.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies held a hearing on Food and Nutrition Service. Testimony was heard from the following officials of the USDA: Eric M. Bost, Under Secretary, Kate Coler, Deputy Under Secretary, both with the Food, Nutrition, and Consumer Services; Robert Salazar, Administrator, Food and Nutrition Service; Eric Hentges, Executive Director, Center for Nutrition Policy and Promotion; and Stephen B. Dewhurst, Budget Officer.

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies held a hearing on Legal Activities; DEA; Bureau of Alcohol, Tobacco, Firearms and Explosives. Testimony was heard from the following officials of the Department of Justice: James Comey, Deputy Attorney General; Karen Tandy, Administrator, DEA; and Edgar Domenech, Acting Director, Bureau of Alcohol, Tobacco and Firearms.

The Subcommittee also held a hearing on U.S. Marshals Service and Federal Prison System. Testimony was heard from the following officials of the Department of Justice: Benigno G. Rayna, Director, U.S. Marshals Service; and Harley G. Lappin, Director, Bureau of Prisons.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on Nuclear Waste Disposal and Environmental Management. Testimony was heard from the following officials of the Department of Energy: Margaret Chu, Director, Office of Civilian Radioactive Waste Management; and Jessie Roberson, Assistant Secretary, Environmental Management.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Emergency Preparedness and Response. Testimony was heard from Michael Brown, Under Secretary, Emergency Preparedness and Response, Department of Homeland Security.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Health Resources and Services Administration. Testimony was heard from Elizabeth James Duke, M.D., Administrator, Health Resources and Services Administration, Department of Health and Human Services.

The Subcommittee held a hearing on the Administration for Children and Families. Testimony was heard from Wade F. Horn, Assistant Secretary, Administration for Children and Families, Department of Health and Human Services.

The Subcommittee also held a hearing on the Secretary of Education. Testimony was heard from Roderick R. Paige, Secretary of Education.

TRANSPORTATION, TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury and Independent Agencies held a hearing on OMB. Testimony was heard from Joshua Bolton, Director, OMB.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD and Independent Agencies held a hearing on Chemical Safety Hazard Investigation Board. Testimony was heard from Carolyn W. Merritt, Chair, U.S. Chemical Safety and Hazard Investigation Board.

The Subcommittee also held a hearing on Corporation for National and Community Service. Testimony was heard from David Eisner, CEO, Corporation for National and Community Service.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—DEPARTMENT OF DEFENSE

Committee on Armed Services: Held a hearing on the Fiscal Year 2005 National Defense Authorization budget request from the Department of Defense. Testimony was heard from the following officials of the Department of Defense: GEN James L. Jones, USMC, Commander, U.S. European Command; and GEN James T. Hill, USA, Commander, U.S. Southern Command.

PRE-POSITIONED EQUIPMENT PROGRAMS—USA AND USMC

Committee on Armed Services: Subcommittee on Readiness held a hearing on the Pre-positioned Equipment Programs of the United States Army and United States Marine Corps. Testimony was heard from BG Jerome Johnson, USA, Director, Plans, Operations and Readiness, and BG Kevin T. Ryan, Director, Strategy, Plans and Policy, both with the Department of the Army; BG Robert B. Neller, USMC, Director, Operations Division (PO), Plans, Policy and Operations, U.S. Marine Corps; William M. Solis, Director, Defense Capabilities and Management, GAO; and a public witness.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—MILITARY PERSONNEL POLICY

Committee on Armed Services: Subcommittee on Total Force held a hearing on the Fiscal Year 2005 National Defense Authorization budget request—Military Personnel Policy, Benefits and Compensation Overview. Testimony was heard from the following officials of the Department of Defense: Charles S. Abell, Principal Deputy Under Secretary, Personnel and Readiness; LTG Franklin L. Hagenbeck, USA, Deputy Chief of Staff, G1, Headquarters, Department of the Army; VADM Gerald Hoewing, USN, Chief, Naval Personnel and Deputy Chief of Naval Operations, Manpower and Personnel; and LTG Garry L. Parks, USMC, Deputy Commandant, Manpower and Reserve Affairs, U.S. Marine Corps, both with the Department of the Navy; LTG Richard Brown, USAF, Deputy Chief of Staff, Personnel, Headquarters, U.S. Air Force; Derek B. Stewart, Director, Defense, Capabilities and Management, GAO; and public witnesses.

"THE STATE OF U.S. INDUSTRY"

Committee on Energy and Commerce: Held a hearing on "The State of U.S. Industry." Testimony was heard from Donald L. Evans, Secretary of Commerce.

ZERO DOWNPAYMENT ACT

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing on H.R. 3755, Zero Downpayment Act of 2004. Testimony was heard from John Weicher, Assistant Secretary, Housing-Federal Housing Commissioner, Department of Housing and Urban Development; and public witnesses.

OVERSIGHT—FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM AND FEDERAL LONG-TERM CARE INSURANCE PROGRAM

Committee on Government Reform: Subcommittee on Civil Service and Agency Organization held an oversight hearing entitled "Oversight of the Federal Employees Health Benefits Program and the Federal Long-Term Care Insurance Program." Testimony was heard from Dan G. Blair, Deputy Director, OPM; and public witnesses.

HOMELAND SECURITY DEPARTMENT'S PLAN—CONSOLIDATE AND CO-LOCATE REGIONAL AND FIELD OFFICES TO IMPROVE COMMUNICATION

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs and the Subcommittee on National Security, Emerging Threats and International Relations held a joint hearing entitled "The Homeland Security Department's Plan to Consolidate and Co-locate Regional and Field Offices: Improving Communication and Coordination." Testimony was heard from Asa Hutchinson, Under Secretary, Boarder and Transportation Security, Department of Homeland Security; and public witnesses.

DIETARY SUPPLEMENTS STATUS

Committee on Government Reform: Subcommittee on Human Rights and Wellness held a hearing entitled "10 Years

after the Implementation of DSHEA: The Status of Dietary Supplements in the United States." Testimony was heard from Senator Durbin; Robert Brackett, Director, Center for Food Safety and Applied Nutrition, FDA, Department of Health and Human Services; and public witnesses.

OVERSIGHT—ELECTRONIC GOVERNMENT

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held an oversight hearing entitled "Electronic Government: A Progress Report on the Successes and Challenges of Government-wide Information Technology Solutions." Testimony was heard from Karen S. Evans, Administrator, E–Government and Information Technology, OMB; Linda Koontz, Director, Information Management, GAO; the following officials of the GSA: Martin Wagner, Associate Administrator, Office of Government-wide Policy; and M. J. Jameson, Associate Administrator (USA Services), Office of Citizen Services and Communication; Norman Enger, Director, E–Government (E–Payroll), OPM; Kim Nelson, Chief Information Officer (E–Rulemaking Initiative), EPA; and George Strawn, Chief Information Officer (E–Grants), Division of Grants and Agreements, NSF.

PEACE CORPS VOLUNTEERS—SAFETY AND SECURITY

Committee on International Relations: Held a hearing on Safety and Security of Peace Corps Volunteers. Testimony was heard from Jess Ford, Director, International Affairs and Trade, GAO; the following officials of the Peace Corps: Gaddi H. Vasquez, Director; and Charles D. Smith, Inspector General; and public witnesses.

SAUDI ARABIA AND THE FIGHT AGAINST TERRORISM FINANCING

Committee on International Relations: Subcommittee on the Middle East and Central Asia held a hearing on Saudi Arabia and the Fight Against Terrorism Financing. Testimony was heard from J. Cofer Black, Coordinator, Office of the Coordinator for Counterterrorism, Department of State; Gary M. Bald, Assistant Director, Counterterrorism Unit, FBI, Department of Justice; Juan C. Zarate, Deputy Assistant Secretary, Executive Office Terrorist Financing and Financial Crime, Department of the Treasury; and public witnesses.

GUEST WORKERS IMPACT ON WORKING AMERICANS

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled "How Would Millions of Guestworkers Impact Working Americans and Americans Seeking Employment?" Testimony was heard from public witnesses.

OVERSIGHT—FACILITY TITLE TRANSFERS; MISCELLANEOUS MEASURE

Committee on Resources: Subcommittee on Water and Power held an oversight hearing on the Bureau of Reclamation's Facility Title Transfers: Lessons Learned and Future Opportunities. Testimony was heard from John Keys III, Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

The Subcommittee also held a hearing on H.R. 3747, Wallowa Lake Dam Rehabilitation and Water Management Act of 2004. Testimony was heard from John Keys III, Commissioner, Bureau of Reclamation, Department of the Interior.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2005

Committee on Rules: Granted, by voice vote, a structured rule providing for further consideration of H. Con. Res. 393, concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2005 and setting forth appropriate budgetary levels for fiscal years 2004 and 2006 through 2009. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution which may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. The rule waives all points of order against the amendments printed in the report, except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment. The rule provides, upon the conclusion of consideration of the concurrent resolution for amendment, for a final period of general debate not to exceed 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. The rule permits the chairman of the Budget Committee to offer amendments in the House to achieve mathematical consistency. Finally, the rule provides that the concurrent resolution shall not be subject to a demand for division of the question of its adoption. Testimony was heard from Chairman Nussle and Representatives Hensarling, Jones (NC), Goode, Spratt, Hooley, Edwards, Scott (VA), Thompson (CA), Obey, Stenholm, Brown (OH), Waters, Gutierrez, Stupak, Woolsey, Jackson-Lee (TX), Turner (TX), Reyes, Schiff, Bishop (NY) and Miller (NC).

DEPARTMENT OF ENERGY BUDGET PRIORITIES

Committee on Science: Subcommittee on Energy held a hearing on the Priorities in the Department of Energy Budget for Fiscal Year 2005. Testimony was heard from the following officials of the Department of Energy: James

Decker, Principal Deputy Director, Office of Science; David Garman, Assistant Secretary, Energy Efficiency and Renewable Energy; Mark R. Maddox, Acting Assistant Secretary, Fossil Energy; William D. Magwood, IV, Director, Office of Nuclear Energy, Science and Technology; and James W. Glotfelty, Director, Office of Electric Transmission and Distribution.

NATIONAL WINDSTORM IMPACT REDUCTION ACT

Committee on Science: Subcommittee on Research and the Subcommittee on Environment, Technology and Standards held a joint hearing on H.R. 3980, National Windstorm Impact Reduction Act of 2004. Testimony was heard from Anthony Lowe, Administrator, Federal Insurance Mitigation Administration, Emergency Preparedness and Response Directorate, Department of Homeland Security; and public witnesses.

TRANSPORTATION EQUITY ACT; MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Ordered reported the following measures: H. Con. Res. 376, Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; H. Con. Res. 388, Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service; H. Con. Res. 389, authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run; H.R. 3550, amended, Transportation Equity Act: A Legacy for Users; and H.R. 3994, Transportation Equity Act: A Legacy for Users.

EMPLOYING VETERANS OF OUR ARMED FORCES

Committee on Veterans' Affairs: Held a hearing entitled "Employing Veterans of Our Armed Forces." Testimony was heard from public witnesses.

BOARD OF TRUSTEES 2004 ANNUAL REPORTS

Committee on Ways and Means: Held a hearing on Board of Trustees 2004 Annual Reports. Testimony was heard from John W. Snow, Secretary of the Treasury; Rick Foster, Chief Actuary, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Stephen C. Goss, Chief Actuary, SSA; and Douglas Holtz-Eakin, Director, CBO.

CIA PROGRAM BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Central Intelligence Agency Program Budget. Testimony was heard from departmental witnesses.

HOMELAND SECURITY JURISDICTION

Select Committee on Homeland Security: Subcommittee on Rules held a hearing entitled "Homeland Security Jurisdiction: The Perspective of Committee Leaders." Testimony was heard from members of the following House Committees: Intelligence, Chairman Goss and Representative Harman; Agriculture, Chairman Goodlatte and Representative Stenholm; Energy and Commerce, Chairman Barton and Representative Dingell; Government Reform, Chairman Davis and Representative Waxman; Transportation and Infrastructure, Representatives Mica and Oberstar; Judiciary: Chairman Sensenbrenner; and Ways and Means, Chairman Thomas.

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Thursday, March 25, 2004

Senate

Chamber Action

Routine Proceedings, pages 5171–5253

Measures Introduced: Ten bills and one resolution were introduced, as follows: S. 2231–2240, and S. Res. 324. **Page 5234**

Measures Passed:

Welfare Reform Extension Act: Senate passed S. 2231, to reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2004. **Page 5172**

Unborn Victims of Violence Act: By 61 yeas to 38 nays (Vote No. 63), Senate passed H.R. 1997, to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, after taking action on the following amendments proposed thereto, clearing the measure for the President: **Page 5176**

Rejected:

By 49 yeas to 50 nays (Vote No. 61), Feinstein Amendment No. 2858, in the nature of a substitute. **Page 5177**

During consideration of this measure today, Senate also took the following action:

By 46 yeas to 53 nays (Vote No. 62), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 505 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Murray Amendment No. 2859, to provide for domestic violence prevention. Subsequently, the point of order, that the amendment would cause an increase in the deficit in excess of the levels permitted and thus be in violation of section 505 of H. Con. Res. 95 of the 108th Congress, was sustained, and the amendment thus falls. **Page 5204**

Organ Donation and Recovery Improvement Act: Senate passed H.R. 3926, to amend the Public Health Service Act to promote organ donation, clearing the measure for the President. **Page 5226**

Welfare Reauthorization Bill—Agreement: A unanimous-consent agreement was reached providing that on Monday, March 29, 2004, at a time determined by the Majority Leader, after consultation with the Democratic Leader, Senate begin consideration of H.R. 4, to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care. **Page 5172**

Treaties Approved: The following treaties having passed through their various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present and having voted in the affirmative, the resolutions of ratification were agreed to:

Protocol Amending Tax Convention with Sri Lanka (Treaty Doc. 108–9) **Page 5252**

Income Tax Convention With Sri Lanka (Treaty Doc. 99–10) **Page 5252**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a notification of the President's intent to enter into a free trade agreement with the Government of the Dominican Republic; to the Committee on Finance. (PM–74) **Page 5232**

Messages From the House: **Page 5233**

Measures Referred: **Page 5233**

Measures Read First Time: **Page 5233**

Executive Communications: **Page 5233**

Statements on Introduced Bills/Resolutions: **Page 5237**

Additional Cosponsors: **Page 5235**

Additional Statements: **Page 5231**

Amendments Submitted: **Page 5247**

Notices of Hearings/Meetings: **Page 5251**

Authority for Committees to Meet: **Page 5251**

Record Votes: Three record votes were taken today. (Total—63) **Pages 5204, 5218, 5220**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:31 p.m., until 9:30 a.m., on Friday, March 26, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 5253.)

Committee Meetings

APPROPRIATIONS: DEPARTMENT OF HEALTH AND HUMAN SERVICES

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of Health and Human Services, after receiving testimony from Tommy G. Thompson, Secretary of Health and Human Services.

APPROPRIATIONS: DEPARTMENT OF THE INTERIOR

Committee on Appropriations: Subcommittee on Interior concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of the Interior, after receiving testimony from Gale A. Norton, Secretary, and Lynn Scarlett, Assistant Secretary for Policy, Management and Budget, both of the Department of the Interior.

APPROPRIATIONS: EPA

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Environmental Protection Agency, after receiving testimony from Michael O. Leavitt, Administrator, Environmental Protection Agency.

APPROPRIATIONS: DEPARTMENT OF STATE

Committee on Appropriations: Subcommittee on Commerce, Justice, State, the Judiciary and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of State, after receiving testimony from Colin L. Powell, Secretary of State.

APPROPRIATIONS: DEPARTMENT OF AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of Agriculture, after receiving testimony from Ann M. Veneman, Secretary of Agriculture.

DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded a hearing to examine the proposed Defense Authorization Request for fiscal year 2005, focusing on the role of U.S. Northern Command and U.S. Special Operations Command in defending the homeland and in the global war on terrorism, after receiving testimony from Thomas W. O'Connell, Assistant Secretary of Defense for Special Operations and Low Intensity Conflict; Paul McHale, Assistant Secretary of Defense for Homeland Defense; General Ralph E. Eberhart, USAF, Commander, North American Aerospace Defense Command and United States Northern Command, U.S. Air Force; General Bryan D. Brown, USA, Commander, United States Special Operations Command, U.S. Army.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine the proposed Defense Authorization Request for fiscal year 2005, focusing

on national security space programs and management, after receiving testimony from Peter B. Teets, Under Secretary of the Air Force, Director, National Reconnaissance Office; Admiral James O. Ellis, Jr., USN, Commander, United States Strategic Command, U.S. Navy; General Lance W. Lord, USAF, Commander, Air Force Space Command, U.S. Air Force; and Vice Admiral Arthur K. Cebrowski, USN (Ret.), Director, Office of Force Transformation, U.S. Navy.

FLOOD INSURANCE

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Economic Policy concluded a hearing to examine the National Flood Insurance Program, focusing on certain measures to address repetitive loss properties, including S. 2238, after receiving testimony from Senator Mikulski; Representatives Bereuter and Blumenauer; Anthony Lowe, Federal Insurance Administrator and Mitigation Division Director, Federal Emergency Management Agency, Department of Homeland Security; William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, General Accounting Office; William Stiglitz III, Hyland, Block, Hyland Insurance, Louisville, Kentucky, on behalf of the Independent Insurance Agents and Brokers of America and the National Association of Professional Insurance Agents; Steven M. Feldmann, The Fischer Group, Crestview Hills, Kentucky, on behalf of the National Association of Home Builders; Chad Berginnis, Association of State Floodplain Managers, Inc., Columbus, Ohio; and Greg Kosse, Kentucky Farm Bureau Mutual Insurance Company, Louisville, on behalf of the Property Casualty Insurers Association of America.

FEDERAL TRANSIT ADMINISTRATION BUDGET

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2005 for the Federal Transit Administration, Department of Transportation, after receiving testimony from Jennifer L. Dorn, Administrator, Federal Transit Administration, Department of Transportation; Timothy W. Martin, Illinois Department of Transportation, Springfield, on behalf of American Association of State Highway and Transportation Officials; and William Millar, American Public Transportation Association, Dale J. Marsico, Community Transportation Association of America, and Rolf Th. Lundberg, Jr., United States Chamber of Commerce, all of Washington, D.C.

CABLE RATES

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine causes and potential solutions regarding escalating cable rates, after receiving testimony from Mark L. Goldstein, Director, Amy Abramowitz, Assistant Director, and Michael Clements, Senior Analyst, all of Physical Infrastructure Issues, General Accounting Office; James O. Robbins, Cox Communications, Inc., Atlanta, Georgia; George Bodenheimer, ESPN, Inc. and ABC Sports, New York, New York; Gene Kimmelman, Consumers Union, Washington, D.C.; Marilyn Praisner, Montgomery County Council, Rockville, Maryland, on behalf of National Association of Counties and Telecommunity; and Rodger L. Johnson, Knology, Inc., West Point, Georgia, on behalf of Broadband Service Providers Association.

RURAL WATER SUPPLY

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded a hearing to examine S. 1085, to provide for a Bureau of Reclamation program to assist states and local communities in evaluating and developing rural and small community water supply systems, S. 1732, to direct the Secretary of the Interior to establish a rural water supply program in the Reclamation States to provide a clean, safe, affordable, and reliable water supply to rural residents, S. 2218, to direct the Secretary of the Interior to establish a rural water supply program in the Reclamation States for the purpose of providing a clean, safe, affordable, and reliable water supply to rural residents and for other purposes, to authorize the Secretary to conduct appraisal and feasibility studies for rural water projects, and to establish the guidelines for any projects authorized under this program, S. 1727, to authorize additional appropriations for the Reclamation Safety of Dams Act of 1978, and S. 1791, to amend the Lease Lot Conveyance Act of 2002 to provide that the amounts received by the United States under that Act shall be deposited in the reclamation fund, after receiving testimony from John W. Keys III, Commissioner, Bureau of Reclamation, Department of the Interior; Mike Keegan, National Rural Water Association, Duncan, Oklahoma; and David J. Koland, Garrison Diversion Conservancy District, Carrington, North Dakota.

UNITED STATES-AFRICA PARTNERSHIP

Committee on Foreign Relations: Committee concluded a hearing to examine proposed legislation to amend the African Growth and Opportunity Act to expand certain trade benefits to eligible sub-Saharan African countries, after receiving testimony from Alan P. Larson, Under Secretary of State for Economic, Business, and Agricultural Affairs; Florizelle B. Liser, Assistant United States Trade Representative for Africa; and Constance B. Newman, Assistant Administrator for Africa, U.S. Agency for International Development.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Miles T. Bivins, of Texas, to be Ambassador to Sweden, who was introduced by Senators Hutchison and Cornyn; Michael Christian Polt, of Tennessee, to be Ambassador to Serbia and Montenegro, Thomas Bolling Robertson, of Virginia, to

be Ambassador to Slovenia, John M. Ordway, of California, to be Ambassador to Kazakhstan, and Earle I. Mack, of New York, to be Ambassador to Finland, who was introduced by Senators Schumer and Lautenberg, after each nominee testified and answered questions in their own behalf.

HAZARD COMMUNICATION

Committee on Health, Education, Labor, and Pensions: Subcommittee on Employment, Safety, and Training concluded a hearing to examine hazard communication in the 21st Century workplace, focusing on steps that the Occupational Safety and Health Administration (OSHA) is taking to improve implementation of OSHA's Hazard Communication Standard, after receiving testimony from John L. Henshaw, Assistant Secretary of Labor for Occupational Safety and Health; Thomas G. Grumbles, American Industrial Hygiene Association, Fairfax, Virginia; Jon Hanson, Wyoming Medical Center, Casper; Anne Jackson, Pepperidge Farm, Denver, Pennsylvania, on behalf of American Bakers Association; Michele R. Sullivan, MRS Associates, Cherry Hill, New Jersey, on behalf of Society for Chemical Hazard Communications; and Michael J. Wright, United Steelworkers of America, Pittsburgh, Pennsylvania.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 19 public bills, H.R. 4030–4048; 1 private bill, H.R. 4049; and 8 resolutions, H.J. Res. 91; H. Con. Res. 396–399, and H. Res. 577–579, were introduced. **Page 5364**

Additional Cosponsors: **Page 5366**

Reports Filed: Reports were filed today as follows:

H.R. 2523, to designate the United States courthouse located at 125 Bull Street in Savannah, Georgia, as the "Tomochichi United States Courthouse" (H. Rept. 108–447);

H.R. 2538, to designate the United States courthouse located at 400 North Miami Avenue in Miami, Florida, as the "Wilkie D. Ferguson, Jr. United States Courthouse" (H. Rept. 108–448);

H.R. 3147, to designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the "James V. Hansen Federal Building", amended (H. Rept. 108–449); and

H.R. 3713, to designate the Federal building located at 250 West Cherry Street in Carbondale, Illinois the "Senator Paul Simon Federal Building" (H. Rept. 108–450). **Page 5364**

Budget Resolution for FY 2005: The House agreed to H. Con. Res. 393, establishing the congressional budget for the United States Government for fiscal year 2005 and setting forth appropriate budgetary levels for fiscal years 2004 and 2006 through 2009, by a yea-and-nay vote of 215 yeas to 212 nays, Roll No. 92. The measure was also considered on Wednesday, March 24. **Page 5264**

Rejected:

Cummings amendment in the nature of a substitute (Congressional Black Caucus) printed in H. Rept. 108–446 that provides for $43.3 billion in additional spending and $5 billion for deficit reduction in FY 2005 (rejected by a recorded vote of 119 ayes to 302 noes, Roll No. 88); **Page 5269**

Stenholm amendment in the nature of a substitute (Blue Dog Coalition) printed in H. Rept. 108–446 that balances the budget by 2012 and cuts the deficit in half in the next two years (rejected by a recorded vote of 183 ayes to 243 noes, Roll No. 89); **Page 5278**

Hensarling amendment in the nature of a substitute (Republican Study Committee) printed in H. Rept. 108–446 that calls for more tax cuts and less discretionary spending and would cut the deficit in half in three years (rejected by a recorded vote of 116 ayes to 309 noes, Roll No. 90); and **Page 5292**

Spratt amendment in the nature of a substitute (Democratic substitute) printed in H. Rept. 108–446 that projects a balanced budget in FY 2012, with $1.5 trillion less public debt than the resolution (rejected by a recorded vote of 194 ayes to 232 noes, Roll No. 91). **Page 5305**

Agreed by unanimous consent to the modification of the amendment offered by Representative Spratt that is printed in H. Rept. 108–446. **Page 5318**

H. Res. 574, the rule providing for further consideration of the concurrent resolution was agreed to by a voice vote after agreeing to order the previous question by a yea-and-nay vote of 222 yeas to 201 nays, Roll No. 84. **Page 5256**

Suspensions: The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, March 24:

Community Recognition Act of 2003: H.R. 3095, amended, to amend title 4, United States Code, to make sure the rules of etiquette for flying the flag of the United States do not preclude the flying of flags at half mast when ordered by city and local officials, by a ⅔ yea-and-nay vote of 374 yeas to 2 nays, Roll No. 93; **Page 5337**

Bureau of Engraving and Printing Security Printing Act of 2004: H.R. 3786, to authorize the Secretary

of the Treasury to produce currency, postage stamps, and other security documents at the request of foreign governments on a reimbursable basis, by a ⅔ yea-and-nay vote of 422 yeas to 2 nays, Roll No. 85; **Page 5262**

District of Columbia and United States Territories Circulating Quarter Dollar Program Act: H.R. 2993, to provide for a circulating quarter dollar coin program to honor the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, by a ⅔ yea-and-nay vote of 414 yeas to 14 nays, Roll No. 86; and **Page 5263**

Authorizing the President of the United States to agree to certain amendments to the Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank: Agree to the Senate amendment to H.R. 254, to authorize the President of the United States to agree to certain amendments to the Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank, by a ⅔ yea-and-nay vote of 377 yeas to 48 nays, Roll No. 87—clearing the measure for the President. **Page 5263**

Late Report: Agreed that the Committee on Transportation and Infrastructure have until midnight on March 29 to file a report on H.R. 3550, to authorize funds for federal-aid highways, highway safety programs, and transit programs. **Page 5338**

Committee Resignation: Read a letter from Representative Bell wherein he resigned from the Committee on International Relations, effective March 26. **Page 5338**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12:30 p.m. on Monday, March 29 for Morning Hour debate. **Page 5339**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, March 31. **Page 5339**

Presidential Message: Read a letter from the President wherein he notified Congress of his intention to enter into a free trade agreement with the Government of the Dominican Republic—referred to the Committee on Ways and Means and ordered printed (H. Doc. 108–178). **Page 5264**

Senate Messages: Messages received from the Senate today appear on pages 5262 and 5338.

Senate Referrals: S. 2231 was referred to the Committees on Ways and Means, and Energy and Commerce; S. 1218 was referred to the Committees on Science and Ways and Means. **Page 5363**

Quorum Calls—Votes: Six yea-and-nay votes and four recorded votes developed during the proceedings today and appear on pages 5261–64, 5277, 5291, 5304, 5324, and 5236–38. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:20 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies held a hearing on Rural Development. Testimony was heard from the following officials of the USDA: Gilbert G. Gonzalez, Acting Under Secretary, Rural Development; Hilda Gay Legg, Administrator, Rural Utilities Service; Authur A. Garcia, Administrator, Rural Housing Service; John Rosso, Administrator, Rural Business-Cooperative Service; Luis Luna, Deputy Administrator, Community Development; and Dennis Kaplan, Budget Officer.

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies held a hearing on SBA. Testimony was heard from Hector Barreto, Administrator, SBA.

The Subcommittee held a hearing on the U.S. Trade Representative. Testimony was heard from Ambassador Robert B. Zoellick, U.S. Trade Representative.

The Subcommittee also held a hearing on the EEOC. Testimony was heard from Cari M. Dominguez, Chairwoman, EEOC.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development met in executive session to hold a hearing on the National Nuclear Security Administration. Testimony was heard from Linton F. Brooks, Under Secretary, Nuclear Security and Administrator, National Nuclear Security Administration, Department of Energy.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Bureau of Customs and Border Protection. Testimony was heard from Robert Bonner, Commissioner, Bureau of Customs and Border Protection, Department of Homeland Security.

The Committee also held a hearing on the United States Citizenship and Immigration Services. Testimony was heard from Eduardo Aguirre, Director, Bureau of Citizenship and Immigration Services, Department of Homeland Security.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior held a hearing on the National Park Service. Testimony was heard from Fran Mainella, Director, National Park Service, Department of the Interior.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on the Child Development Research and Programs. Testimony was heard from Grover J. Whitehurst, Director, Institute of Education Sciences, Department of Education; and the following officials of the Department of Health and Human Services: G. Reid Lyon, Chief, Child Development and Behavior Branch, National Institutes of Health; and Wade F. Horn, Assistant Secretary, Administration for Children and Families.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on European Command. Testimony was heard from GEN. James L. Jones, Jr., USMC, Supreme Allied Commander Europe, and Commander, U.S. European Command

TRANSPORTATION, TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury and Independent Agencies held a hearing on Highway Safety Programs. Testimony was heard from Jeffrey W. Runge, Administrator, National Highway Safety Administration, Department of Transportation.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD and Independent Agencies continued appropriation hearings. Testimony was heard from public witnesses.

2005 BASE REALIGNMENT AND CLOSURE PROCESS

Committee on Armed Services: Subcommittee on Readiness held a hearing on the 2005 Base Realignment and Closure Process. Testimony was heard from Raymond F. DuBois, Jr., Deputy Under Secretary, Installations and Environment, Department of Defense; and Barry W. Holman, Director, Defense Capabilities and Management, GAO.

NATIONAL DEFENSE AUTHORIZATION REQUEST—MISSILE DEFENSE PROGRAMS

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on the Fiscal Year 2005 National Defense Authorization budget request—Missile Defense Programs. Testimony was heard from the following officials of the Department of Defense: LTG Ronald T. Kadish, USAF, Director, Missile Defense Agency; LTG Larry J. Dodgen, USA, Commander, Space and Missile Defense Command; and Thomas P. Christie, Director, Operational Test and Evaluation.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—NAVY AND AIR FORCE TACTICAL WEAPON ACQUISITION PROGRAMS

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on the Fiscal Year 2005 National Defense Authorization budget request—Department of the Navy and Department of the Air Force Tactical Weapon Acquisition Programs. Testimony was heard from the following officials of the GAO: Allen Li, Director, Acquisition Sourcing Management—(F/A–22); and Mike Sullivan, Director, Acquisition Sourcing Management—(Joint Strike Fighter (JSF)); and the following officials of the Department of Defense: John J. Young, Jr., Assistant Secretary (Research, Development and Acquisition); VADM John B. Nathan, USN, Deputy Chief of Naval Operations, Warfare Requirements and Programs (N7); and LTG Michael A. Hough, USMC, Deputy Commandant for Aviation, U.S. Marine Corps, all with the Department of the Navy; Marvin R. Sambur, Assistant Secretary (Acquisition) and LTG Ronald E. Keys, USAF, Deputy Chief of Staff, Air and Space Operations, both with the Department of the Air Force.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—DOD SCIENCE AND TECHNOLOGY POLICY AND PROGRAMS

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the Fiscal Year 2005 National Defense Authorization budget request—Department of Defense Science and Technology Policy and Programs. Testimony was heard from the following officials of the Department of Defense: Ronald M. Sega, Director, Defense Research and Engineering; Anthony J. Teter, Director, Defense Advanced Research Projects Agency; Thomas H. Killion, Deputy Assistant Secretary, Research and Technology, Department of the Army; RADM Jay M. Cohen, USN, Chief, Naval Research, Department of the Navy; and James B. Engle, Deputy Assistant Secretary (Science, Technology and Engineering), Department of the Air Force.

DOE'S YUCCA MOUNTAIN PROJECT; ALTER NUCLEAR WASTE TRUST FUND

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "A Review of the Department of Energy's Yucca Mountain Project," and Proposed Legislation to Alter the Nuclear Waste Trust Fund (H.R. 3429 and H.R. 3981)." Testimony was heard from Representatives Gibbons, Berkley and Porter; Robert G. Card, Under Secretary, Energy, Science, and Environment, Department of Energy; Nils J. Diaz, Chair-

man, NRC; David J. Duquette, member, U.S. Nuclear Waste Technical Review Board; and public witnesses.

"NIH: RE-ENGINEERING CLINICAL RESEARCH"

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "NIH: Re-engineering Clinical Research." Testimony was heard from Elias A. Zerhouni, M.D., Director, NIH, Department of Health and Human Services; and public witnesses.

INTERNATIONAL FINANCIAL SYSTEM STATUS

Committee on Financial Services: Held a hearing on the state of the international financial system. Testimony was heard from John W. Snow, Secretary of the Treasury.

D.C. COLLEGE ACCESS ACT REAUTHORIZATION

Committee on Government Reform: Held a hearing entitled "Maintaining a Level Playing Field for D.C. Graduates: Legislation to Reauthorize the D.C. College Access Act." Testimony was heard from the following officials of the District of Columbia: Anthony A. Williams, Mayor; Kelly Valentine, Acting Director, Tuition Assistance Grants Program; and Argelia Rodriquez, Executive Director, College Access Program; and public witnesses.

DEVELOPMENTS IN BURMA

Committee on International Relations: Subcommittee on Asia and the Pacific and the Subcommittee on International Terrorism, Nonproliferation and Human Rights held a joint hearing on Developments in Burma. Testimony was heard from the following officials of the Department of State: Lorne Craner, Assistant Secretary, Bureau of Democracy, Human Rights and Labor; and Matthew P. Daley, Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs; and public witnesses.

RESOLUTION REGARDING APPROPRIATE ROLE OF FOREIGN JUDGMENTS IN THE INTERPRETATION OF AMERICAN LAW

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on H. Res. 568, Expressing the sense of the House of Representatives that Judicial determinations regarding the meaning of the laws of the United States should not be based on judgments, laws, or pronouncements of foreign institutions unless such foreign judgments, laws, or pronouncements inform an understanding of the original meaning of the laws of the United States, and the Appropriate Role of Foreign Judgments in the Interpretation of American Law. Testimony was heard from public witnesses.

"PROGRESS IN CONSOLIDATING TERRORISM WATCHLISTS—THE TERRORIST SCREENING CENTER"

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security and the Subcommittee on Intelligence and Counterterorism of the Select Committee on Homeland Security held a joint oversight hearing entitled "Progress in Consolidating Terrorism Watchlists—The Terrorist Screening Center (TSC)." Testimony was heard from Donna A. Bucella, Director, Terrorist Screening Center (Administered by FBI); Charlie Bartoldus, Director, National Targeting Center, Customs and Border Protection, Department of Homeland Security; James W. McMahon, Director, Office of Public Security, State of New York; and a public witness.

MARINE TURTLE CONSERVATION ACT

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held a hearing on H.R. 3378, Marine Turtle Conservation Act of 2003. Testimony was heard from Marshall Jones, Deputy Director, U.S. Fish and Wildlife Service, Department of the Interior; Rebecca Lent, Deputy Assistant Administrator, Fisheries, NOAA, Department of Commerce; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held a hearing on the following bills: H.R. 1517, Land Reinvestment Act; H.R. 2663, To authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System; and H.R. 3874, To convey for public purposes certain Federal lands in Riverside County, California, that have been identified for disposal. Testimony was heard from Representatives Bono and Graves; Robert Lamb, Special Advisor to the Assistant Secretary, Policy, Management and Budget, Department of the Interior; and public witnesses.

MANUFACTURING TECHNOLOGY COMPETITIVENESS ACT

Committee on Science: Subcommittee on Environment, Technology, and Standards approved for full Committee action, as amended, H.R. 3598, Manufacturing Technology Competitiveness Act of 2003.

SPIKE IN METAL PRICES

Committee on Small Business: Continued hearings entitled "Spike in Metal Prices—Part II." Testimony was heard from public witnesses.

BALLAST WATER MANAGEMENT

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation and the Subcommittee on Water Resources and Environment held a joint hearing on Ballast Water Management: New International Standards and National Invasive Species Act Reauthorization. Testimony was heard from RADM Thomas H. Gilmour, USCG, Assistant Commandant, Marine Safety, Security and Environmental Protection, U.S. Coast Guard, Department of Homeland Security; and public witnesses.

JOINT MILITARY INTELLIGENCE PROGRAM AND TACTICAL INTELLIGENCE AND RELATED ACTIVITIES

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Joint Military Intelligence Program and Tactical Intelligence and Related Activities. Testimony was heard from departmental witnesses.

BRIEFING—GLOBAL INTELLIGENCE UPDATED

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy and National Security met in executive session to receive a briefing on Global Intelligence Updated. The Subcommittee was briefed by departmental witnesses.

Joint Meetings

VETERANS' LEGISLATIVE PRESENTATIONS

Joint Hearing: Senate Committee on Veterans' Affairs concluded joint hearings with the House Committee on Veterans' Affairs to examine legislative presentations of certain veterans' organizations, after receiving testimony from S. John Sisler, AMVETS, Lanham, Maryland; F. Paul Dallas, American Ex-Prisoners of War, Arlington, Texas; Edward Chow, Jr., Vietnam Veterans of America, Silver Spring, Maryland; Colonel Robert F. Norton, USA (Ret.), Military Officers Association of America, Alexandria, Virginia; and Joey Strickland, National Association of State Directors of Veterans' Affairs, Baton Rouge, Louisiana.

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Friday, March 26, 2004

Senate

Chamber Action

Routine Proceedings, pages 5368–87

Measures Introduced: Five bills were introduced, as follows: S. 2241–2245. Page 5383

Measures Passed:

School Lunch and Child Nutrition Programs Authorization: Senate passed S. 2241, to reauthorize certain school lunch and child nutrition programs through June 30, 2004. Page 5386

Welfare Reauthorization Bill—Agreement: A unanimous-consent agreement was reached providing that at 1 p.m., on Monday, March 29, 2004, Senate will begin consideration of H.R. 4, to reauthorize and improve the program of block grants to States for temporary assistance for needy families, and improve access to quality child care. Page 5387

Executive Reports of Committees: Senate received the following executive report of a committee:

Report to accompany the Protocol Additional to the Agreement Between the United States of America and the International Atomic Energy Agency for the Application of Safeguards in the United States of America, with annexes, signed at Vienna, June 12, 1998 (Treaty Doc. 107–7) (Ex. Rept. 108–12). Page 5382

Nominations Received: Senate received the following nominations:

Michele J. Sison, of Maryland, to be Ambassador to the United Arab Emirates.

Thomas Charles Krajeski, of Virginia, to be Ambassador to the Republic of Yemen. Page 5387

Measures Placed on Calendar: Page 5381

Executive Communications: Page 5381

Executive Reports of Committees: Page 5382

Additional Cosponsors: Page 5383

Statements on Introduced Bills/Resolutions: Page 5383

Additional Statements: Page 5379

Adjournment: Senate convened at 9:30 a.m., and adjourned at 12:07 p.m., until 1 p.m., on Monday, March 29, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 5387.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 12:30 p.m. on Monday, March 29, for Morning Hour debate and at 2 p.m. for legislative business.

Committee Meetings

No committee meetings were held.

Monday, March 29, 2004

Senate

Chamber Action

Routine Proceedings, pages 5401–98

Measures Introduced: Nine bills and one resolution were introduced, as follows: S. 2246–2254, and S. Res. 325. Page 5479

Measures Reported:

S. 1307, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to assist in the implementation of fish passage and screening facilities at non-Federal water projects, with an amendment in the nature of a substitute. (S. Rept. No. 108–249)

S. 1355, to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon, with an amendment in the nature of a substitute. (S. Rept. No. 108–250)

S. 1421, to authorize the subdivision and dedication of restricted land owned by Alaska Natives, with an amendment in the nature of a substitute. (S. Rept. No. 108–251)

H.R. 2696, to establish Institutes to demonstrate and promote the use of adaptive ecosystem management to reduce the risk of wildfires, and restore the health of fire-adapted forest and woodland ecosystems of the interior West. (S. Rept. No. 108–252) Page 5479

Welfare Reform Reauthorization: Senate began consideration of H.R. 4, to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, taking action on the following amendment proposed thereto: Pages 5401, 5439

Pending:

Grassley (for Snowe) Amendment No. 2937, to provide additional funding for child care. Page 5443

A unanimous-consent agreement was reached providing that at 12:15 p.m., on Tuesday, March 30, 2004, Senate vote in relation to the Grassley (for Snowe) Amendment No. 2937 (listed above); provided further, that no second degree amendments be in order thereto prior to the vote. Page 5462

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:45 a.m., on Tuesday, March 30, 2004. Page 5498

Messages From the House: Page 5477

Measures Referred: Page 5477

Measures Read First Time: Page 5478

Executive Communications: Page 5478

Additional Cosponsors: Page 5479

Statements on Introduced Bills/Resolutions: Page 5481

Additional Statements: Page 5477

Amendments Submitted: Page 5484

Notices of Hearings/Meetings: Page 5498

Privilege of the Floor: Page 5498

Adjournment: Senate convened at 1 p.m., and adjourned at 7:02 p.m., until 9:45 a.m., on Tuesday, March 30, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 5498.)

Committee Meetings

DEFENSE SCIENCE

Committee on Armed Services: Committee met in closed session to receive a briefing on defense science and technology programs and capabilities from Benjamin P. Riley III, Assistant Deputy Under Secretary of Defense for Advanced Systems and Concepts (Force Protection); Captain Michel Knollnann, Military Deputy Operational Requirements, Office of the Deputy Under Secretary of Defense (Advanced Systems and Concepts); and Colonel Joseph L. Votel, Deputy Director Information Operations, Directorate for Operations Readiness and Mobilization.

House of Representatives

Chamber Action

Measures Introduced: 5 public bills, H.R. 4050–4054; and; 3 resolutions, H. Con. Res. 400, and H. Res. 581–582 were introduced. Page 5548

Additional Cosponsors: Page 5549

Reports Filed: Reports were filed today as follows:

H. Res. 580, providing for the consideration of H.R. 3966, to amend title 10, United States Code, and the Homeland Security Act of 2002 to improve the ability of the Department of Defense to establish and maintain Senior Reserve Officer Training Corps units at institutions of higher education, to improve the ability of students to participate in Senior ROTC programs, and to ensure that institutions of higher education provide military recruiters entry to campuses and access to students that is at least equal in quality and scope to that provided to any other employer (H. Rept. 108–451); and

H.R. 3550. A bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, with an amendment (Rept. 108–452 Pt. 1). Page 5548

Speaker: Read a letter from the Speaker wherein he appointed Representative Harris to act as Speaker Pro Tempore for today. Page 5499

Recess: The House recessed at 12:55 p.m. and reconvened at 2 p.m. Page 5501

Commission on the Review of the Overseas Military Facility Structure of the United States—Appointment: Read a letter from the Minority Leader wherein she appointed retired Army Lt. General H.G. (Pete) Taylor to the Commission on the Review of the Overseas Military Facility Structure of the United States. Page 5501

Suspensions: The House agreed to suspend the rules and pass the following measures:

Providing for the conveyance of a decommissioned National Oceanic and Atmospheric Administration ship to the Utrok Atoll local government: Agreed to the Senate amendments to H.R. 2584, to provide for the conveyance to the Utrok Atoll local government of a decommissioned National Oceanic and Atmospheric Administration ship, by a ⅔ yea-and-nay vote of 379 yeas to 1 nay, Roll No. 94—clearing the measure for the President; Pages 5502, 5515

Vaughn Gross Post Office Building Designation Act: H.R. 3723, to designate the facility of the United States Postal Service located at 8135 Forest Lane in Dallas, Texas, as the "Vaughn Gross Post Office Building", by a ⅔ yea-and-nay vote of 379 yeas with none voting "nay", Roll No. 95; and Pages 5504, 5516

Maxine S. Postal United States Post Office Building Designation Act: H.R. 3917, to designate the facility of the United States Postal Service located at 695 Marconi Boulevard in Copiague, New York, as the "Maxine S. Postal United States Post Office". Pages 5505, 5515

Recess: The House recessed at 2:29 p.m. and reconvened at 6:30 p.m. Page 5506

Budget Resolution for FY 2005—Order of Business: Agreed to take from the Speaker's table, S. Con. Res. 95 and to strike all after the enacting clause and insert in lieu thereof the text of H. Con. Res. 393 as adopted by the House. Page 5506

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 9 a.m. tomorrow, March 30, for morning hour debate as though after May 31, 2004, thereafter to resume its session at 10 a.m. Page 5515

Senate Message: Message received from the Senate today appears on page 5501.

Senate Referral: S. 2241 was ordered held at the desk. Page 5501

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings today and appear on pages 5516–17. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:56 p.m.

Committee Meetings

ROTC AND MILITARY RECRUITER EQUAL ACCESS TO CAMPUS ACT

Committee on Rules: Granted, by voice vote, a closed rule providing 1 hour of debate on H.R. 3966, ROTC and Military Recruiter Equal Access to Campus Act of 2004, in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services. The rule waives all points of order against consideration of the bill (except those arising under the Congressional Budget Act of 1974). The rule provides that the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill shall be considered as adopted. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representative Rogers of Alabama.

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Tuesday, March 30, 2004

Senate

Chamber Action

Routine Proceedings, pages 5661–5738

Measures Introduced: Seven bills were introduced, as follows: S. 2255–2261. Page 5714

Measures Passed:

Coast Guard and Maritime Transportation Act: Committee on Commerce, Science and Transportation was discharged from further consideration of H.R. 2443, to authorize appropriations for fiscal years 2004 and 2005 for the United States Coast Guard, and the bill was then passed, after agreeing to the following amendments proposed thereto: Page 5736

Alexander (for McCain) Amendment No. 2954, in the nature of a substitute. Page 5737

Alexander (for McCain) Amendment No. 2955, to amend the title. Page 5737

Senate insisted on its amendments, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators McCain, Stevens, Lott, Hutchison, Snowe, Hollings, Inouye, Breaux, and Wyden; and from the Committee on Environment and Public Works: Senators Inhofe and Jeffords. Page 5737

Welfare Reform Reauthorization: Senate continued consideration of H.R. 4, to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care,

taking action on the following amendment proposed thereto: Page 5670

Adopted:

By 78 yeas to 20 nays (Vote No. 64), Grassley (for Snowe) Amendment No. 2937, to provide additional funding for child care. Page 5670

Pending:

Boxer/Kennedy Amendment No. 2945, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage. Page 5682

A motion was entered to close further debate on the committee amendment in the nature of a substitute and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, April 1, 2004. Page 5737

A unanimous-consent agreement was reached providing for further consideration of the bill following the appointment of conferees to the House Message to accompany S. Con. Res. 95, Congressional Budget Resolution, on Wednesday, March 31, 2004. Page 5737

Budget Resolution—Agreement: A unanimous-consent-time agreement was reached providing that at 10 a.m., on Wednesday, March 31, 2004, Senate will consider the House Message to accompany S. Con. Res. 95, setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009, with 90 minutes for debate; following the use or yielding back of time, Senate disagree to the amendment of the House, agree to the request for a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate. Page 5737

Appointments:

HELP Around the Globe Commission: The Chair, on behalf of the Democratic Leader, pursuant to Public Law 108–199, appointed the following individual to serve as a member of the Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission: Eric G. Postel of Wisconsin. Page 5737

HELP Around the Globe Commission: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108–199, Title VI, Section 637, appointed the following individual to serve as a member of the Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission: Michael A. Ledeen of Maryland. Page 5737

Abraham Lincoln Study Abroad Fellowship Program: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108–199, Section 104(c)(1)(A), appointed the following individual to serve as a member of the Abraham Lincoln Study Abroad Fellowship Program: William E. Troutt of Tennessee. Page 5737

Nominations Received: Senate received the following nomination:

Christopher R. Hill, of Rhode Island, to be Ambassador to the Republic of Korea. Page 5738

Messages From the House: Page 5710

Measures Referred: Page 5711

Measures Placed on Calendar: Page 5711

Executive Communications: Page 5711

Executive Reports of Committees: Page 5713

Additional Cosponsors: Page 5714

Statements on Introduced Bills/Resolutions: Page 5716

Additional Statements: Page 5710

Amendments Submitted: Page 5719

Notices of Hearings/Meetings: Page 5735

Authority for Committees to Meet: Page 5735

Record Votes: One record vote was taken today. (Total—64) Page 5681

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:19 p.m., until 9:30 a.m., on Wednesday, March 31, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 5737.)

Committee Meetings

DC YOUTH ADMINISTRATION

Committee on Appropriations: Subcommittee on District of Columbia concluded a hearing to examine the deficiencies at the District of Columbia's Youth Services Administration, after receiving testimony from Austin A. Andersen, Interim Inspector General; Ronald S. Sullivan, Jr., Director, Public Defender Service; Robert C. Bobb, City Administrator and Deputy Mayor; and Eugene N. Hamilton, Chair, Blue Ribbon Commission on Youth Safety and Juvenile Justice Reform, all of the government of the District of Columbia.

APPROPRIATIONS: MILITARY CONSTRUCTION

Committee on Appropriations: Subcommittee on Military Construction concluded a hearing to examine proposed budget estimates for fiscal year 2005 for Defense-wide and Air Force military construction programs, after receiving testimony from Raymond F. Dubois, Jr., Deputy Under Secretary of Defense, Installations and Environment; Nelson F. Gibbs, Assistant Secretary of the Air Force, Installations, Environment, and Logistics; Major General L. Dean Fox, USAF, Air Force Civil Engineer, U.S. Air Force; Brigadier General David A. Brubaker, USAF, Deputy Director, Air National Guard, U.S. Air Force; Brigadier General William M. Rajczak, USAF, Deputy to the Chief of Air Force Reserve, U.S. Air Force.

APPROPRIATIONS: DEPARTMENT OF HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Homeland Security concluded a hearing to examine proposed budget estimates for fiscal year 2005 for border security and enforcement and immigration services, after receiving testimony from Robert C. Bonner, Commissioner, Bureau of Customs and Border Protection; Michael J. Garcia, Assistant Secretary, U.S. Immigration and Customs Enforcement; and Eduardo Aguirre, Jr., Director, U.S. Citizenship and Immigration Services, all of the Department of Homeland Security.

IRAQ SURVEY GROUP

Committee on Armed Services: Committee concluded a closed hearing to examine the second interim report of the Iraq Survey Group, after receiving testimony from Charles A. Duelfer, Special Advisor to the Director of Central Intelligence for Strategy Regarding Iraqi Weapons of Mass Destruction Programs; and Major General Keith W. Dayton, USA, Commander, Iraq Survey Group.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Airland concluded a hearing to examine the proposed Defense Authorization Request for fiscal year 2005 and the Future Years Defense Program, focusing on Army aviation programs, after receiving testimony from Lieutenant General Richard A. Cody, USA, Deputy Chief of Staff for Operations and Plans, U.S. Army; Major General Joseph L. Bergantz, USA, Program Executive Officer for Aviation, U.S. Army; and Brigadier General Edward J. Sinclair, USA, Commanding General, U.S. Army Aviation Center and Fort Rucker.

MILITARY OPERATIONS

Committee on Armed Services: Committee met in closed session to receive a briefing on operations and intelligence from Paul Wolfowitz, Deputy Secretary of Defense; and General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the following business items:

S. 2238, to amend the National Flood Insurance Act of 1968 to reduce loses to properties for which repetitive flood insurance claim payments have been made; and

The nomination of Alphonso R. Jackson, of Texas, to be Secretary of Housing and Urban Development.

AVIATION SECURITY

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation concluded a closed hearing to examine aviation security issues, after receiving testimony from Rear Admiral David Stone, USN, (Ret.), Acting Administrator, Transportation Security Administration, and Clark Kent Ervin, Inspector General, both of the Department of Homeland Security; and Norman J. Rabkin, Managing Director, Homeland Security and Justice, General Accounting Office.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Theodore William Kassinger, of Maryland, to be Deputy Secretary of Commerce; Deborah A.P. Hersman, of Virginia, to be a Member of the National Transportation Safety Board, Department of Transportation, who was introduced by Senator Hollings; Thomas Hill Moore, of Florida, to be a Commissioner of the Consumer Product Safety Commission, who was introduced by Senator Breaux; Alan Paul Anderson, of Florida, who was introduced by Senator Nelson (FL) and Representative Mica, and Joseph E. Brennan, of Maine, both to be a Federal Maritime Commissioner; and Jack Edwin McGregor, of Connecticut, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation, who was introduced by Representative Shays, after each nominee testified and answered questions in their own behalf.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the implementation of the Energy Employees Occupational Illness Compensation Program Act of 2000, focusing on improvements in processing claims for compensation, after receiving testimony from Senator Grassley; Robert G. Card, Under Secretary of Energy; Shelby Hallmark, Director, Office of Workers' Compensation Programs, Department of Labor; Robert E. Robertson, Director, Education, Workforce, and Income Security Issues, General Accounting Office; and John Howard, Director, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, Department of Health and Human Services.

NATIONAL HERITAGE AREAS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded an oversight hearing to examine National Heritage Areas, including findings and recommendations of the General Accounting Office, the definition of a National Heritage Area, the definition of national significance as it relates to National Heritage Areas, recommendations for establishing National Heritage Areas as units of the National Park System, recommendations for prioritizing proposed studies and designations, and options for developing a National Heritage Area Program within the National Park Service, after receiving testimony from A. Durand Jones, Deputy Director, National Park Service, Department of the Interior; Barry T. Hill, Director, Natural Resources and Environ-

ment, General Accounting Office; August R. Carlino, Rivers of Steel National Heritage Area/Steel Industry Heritage Corporation, Homestead, Pennsylvania; Edward F. Sanderson, Rhode Island Historical Preservation and Heritage Commission, Providence, on behalf of the National Conference of State Historic Preservation Officers; Lisa Benton-Short, George Washington University Center for Urban Environmental Research, Washington, D.C.; Carol W. LaGrasse, Property Rights Foundation of America, Inc., Stony Creek, New York; and Dennis Frenchman, Massachusetts Institute of Technology Department of Urban Studies and Planning, Cambridge.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nomination of Donald Korb, of Ohio, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel, Department of the Treasury.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of John J. Danilovich, of California, to be Ambassador to Brazil, and Craig A. Kelly, of California, to be Ambassador to Chile, after each nominee testified and answered questions in their own behalf.

FINANCIAL LITERACY

Committee on Governmental Affairs: Subcommittee on Financial Management, the Budget, and International Security concluded a hearing to examine the Federal government's role in empowering Americans to make informed financial decisions, focusing on financial education programs that help Americans obtain the knowledge to make informed financial choices throughout their lives, after receiving testimony from Senators Sarbanes, Enzi, and Stabenow; Brian C. Roseboro, Acting Under Secretary of the Treasury for Domestic Finance; Nina S. Rees, Deputy Under Secretary of Education for Innovation and Improvement; Susan Ferris Wyderko, Director, Office of Investor Education and Assistance, U.S. Securities and Exchange Commission; Don M. Blandin, American Savings Education Council, and Dara Duguay, Jump Start Coalition for Personal Financial Literacy, both of Washington, D.C.; and Robert F. Duvall, National Council on Economic Education, New York, New York.

NOMINATIONS

Committee on Health, Education, Labor, and Pensions: Committee approved for reporting the nominations of Edward R. McPherson, of Texas, to be Under Secretary of Education, Lisa Kruska, of Virginia, to be an Assistant Secretary of Labor, David Wesley Fleming of California, Jay Phillip Greene, of Florida, and John Richard Petrocik, of Missouri, each to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation, Juanita Alicia Vasquez-Gardner, of Texas, and Patrick Lloyd McCrory, of North Carolina, each to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation, and Gerald Lee, of Pennsylvania, and Robert C. Granger, of New Jersey, each to be a Member of the Board of Directors of the National Board for Education Sciences, Department of Education.

INDIAN FOREST MANAGEMENT REPORT

Committee on Indian Affairs: Committee concluded an oversight hearing to examine Inter-Tribal Timber Council's Indian Forest Management Assessment Team report, focusing on its recommendations providing the Department of the Interior with feedback to improve the delivery and management of forestry services provided to federally recognized tribes and individual Indian owners, after receiving testimony from Aurene M. Martin, Principal Deputy Assistant Secretary of the Interior for Indian Affairs; Nolan C. Colegrove, Sr., Intertribal Timber Council, Portland, Oregon; and John C. Gordon, Interforest, LLC, Branford, Connecticut, on behalf of the Second Indian Forest Management Assessment Team.

INDIAN LAND RESTORATION

Committee on Indian Affairs: Committee concluded a hearing to examine S. 868, to amend the Coos, Lower Umpqua, and Siuslaw Restoration Act to provide for the cultural restoration and economic self-sufficiency of the Confederation Tribes of Coos, Lower Umpqua, and Siuslaw Indians of Oregon, after receiving testimony from Mark Rey, Under Secretary of Agriculture for Natural Resources and Environment; Cheryl Hoile, Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians, Coos Bay, Oregon; Peter M. Wakeland, Confederated Tribes of the Grand Ronde, Grand Ronde, Oregon; and Jay Ward, Oregon Natural Resources Council, Portland.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 21 public bills, H.R. 4056–4076; and; 8 resolutions, H. Con. Res. 401–402, and H. Res. 583–584, 596–589 were introduced. **Page 5658**

Additional Cosponsors: **Page 5659**

Reports Filed: Reports were filed today as follows:

H.R. 3658, to amend the Public Health Service Act to strengthen education, prevention, and treatment pro-

grams relating to stroke, amended (H. Rept. 108–453); and

H. Res. 585, providing for the consideration of H. Res. 581, expressing the sense of the House of Representatives regarding rates of compensation for civilian employees and members of the uniformed services of the United States (H. Rept. 108–454). **Page 5658**

Speaker: Read a letter from the Speaker wherein he appointed Representative Chocola to act as Speaker Pro Tempore for today. **Page 5561**

Recess: The House recessed at 9:35 a.m. and reconvened at 10 a.m. **Page 5565**

Journal: The House agreed to the Speaker's approval of the Journal of Monday, March 29 by a yea-and-nay vote of 353 yeas to 55 nays with one voting "present", Roll No. 96. **Page 5576**

Budget Resolution for FY 2005—Order of Business: The House agreed to insist on its amendment to S. Con. Res. 95, concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009, and requested a conference. **Page 5567**

Rejected the Thompson of California motion to instruct conferees on the concurrent resolution to agree to the pay-as-you-go enforcement provisions within the scope of the conference regarding direct spending increases and tax cuts in the House and Senate by a yea-and-nay vote of 209 yeas to 209 nays, Roll No. 97. **Page 5577**

Appointed as conferees: Representatives Nussle, Portman, and Spratt. **Page 5578**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Welcoming the accession of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia to NATO: H. Res. 558, amended, welcoming the accession of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia to the North Atlantic Treaty Organization (NATO), by a ⅔ yea-and-nay vote of 422 yeas to 2 nays, Roll No. 99; **Pages 5578, 5619**

Department of Justice Appropriations Authorization Act, Fiscal Years 2004 through 2006: H.R. 3036, amended, to authorize appropriations for the Department of Justice for fiscal years 2004 through 2006; **Page 5582**

Reauthorizing the Temporary Assistance for Needy Families program through June 30, 2004: S. 2231, to reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2004—clearing the measure for the President; **Page 5601**

Reauthorizing certain school lunch and child nutrition programs through June 30, 2004: S. 2241, to reauthorize certain school lunch and child nutrition programs through June 30, 2004—clearing the measure for the President; **Page 5604**

Reimbursement for certain expenses incurred by members of the U.S. Armed Forces under the Central Command Rest and Recuperation Leave Program: S. 2057, to require the Secretary of Defense to reimburse members of the United States Armed Forces for certain transportation expenses incurred by the members in connection with leave under the Central Command Rest and Recuperation Leave Program before the program was expanded to include domestic travel, by a ⅔ yea and nay vote of 423 yeas with none voting "nay", Roll No. 100—clearing the measure for the President; **Pages 5606, 5620**

Establishing campaign medals to be awarded to members of the Armed Forces who participate in Operation Enduring Freedom or Operation Iraqi Freedom: H.R. 3104, amended, to provide for the establishment of campaign medals to be awarded to members of the Armed Forces who participate in Operation Enduring Freedom or Operation Iraqi Freedom, by a ⅔ yea and nay vote of 423 yeas with none voting "nay", Roll No. 102; and **Pages 5608, 5630**

Agreed to amend the title so as to read: to provide for the establishment of separate campaign medals to be awarded to members of the uniformed services who participate in Operation Enduring Freedom and to members of the uniformed services who participate in Operation Iraqi Freedom. **Page 5630**

Congratulating the U.S. Air Force Academy on its 50th Anniversary: H. Con. Res. 386, congratulating the United States Air Force Academy on its 50th Anniversary and recognizing its contributions to the Nation, by a ⅔ yea and nay vote of 420 yeas with none voting "nay", Roll No. 103. **Pages 5610, 5631**

ROTC and Military Recruiter Equal Access to Campus Act of 2004: The House passed H.R. 3966, to amend title 10, United States Code, and the Homeland Security Act of 2002 to improve the ability of the Department of Defense to establish and maintain Senior Reserve Officer Training Corps units at institutions of higher education, to improve the ability of students to participate in Senior ROTC programs, and to ensure that institutions of higher education provide military recruiters entry to campuses and access to students that is at least equal in quality and scope to that provided to any other employer, by a recorded vote of 343 ayes to 81 noes, Roll No. 101. **Page 5620**

The amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill was considered as adopted. **Page 5630**

Rejected the Abercrombie motion to recommit the bill to the Committee on Armed Services with instructions by a voice vote. **Page 5629**

Agreed to amend the title so as to read: to amend title 10, United States Code, to improve the ability of the De-

partment of Defense to establish and maintain Senior Reserve Officer Training Corps units at institutions of higher education, to improve the ability of students to participate in Senior ROTC programs, and to ensure that institutions of higher education provide military recruiters entry to campuses and access to students that is at least equal in quality and scope to that provided to any other employer. **Page 5630**

H. Res. 580, the rule providing for consideration of the bill was agreed to by a voice vote, after agreeing to order the previous question by a yea and nay vote of 223 yeas to 202 nays, Roll No. 98. **Page 5613**

Transportation Equity Act: A Legacy for Users—Order of Business: Agreed that it be in order at any time for the Speaker to declare the House in the Committee of the Whole House on the state of the Union for consideration of H.R. 3550, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and that consideration of the bill proceed according to the following order: the first reading of the bill is dispensed with; all points of order against consideration of the bill are waived; general debate shall not exceed two hours and 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure (including a final period of ten minutes to follow consideration of the bill for amendment) and 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; after the initial period of general debate, the Committee of the Whole shall rise without motion; and no further consideration of H.R. 3550 shall be in order except pursuant to a subsequent order of the House. **Page 5632**

Quorum Calls—Votes: Seven yea and nay votes and one recorded vote developed during the proceedings today and appear on pages 5576–77, 5618–20, and 5629–32. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 10:20 p.m.

Committee Meetings

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee Commerce, Justice, State, Judiciary and Related Agencies held a hearing on NOAA. Testimony was heard from Conrad C. Lautenbacher, Jr., Under Secretary and NOAA Administrator, Department of Commerce.

The Subcommittee also continued appropriation hearings. Testimony was heard from Members of Congress.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on U.S. Air Force. Testimony was heard from James G. Roche, Secretary of the Air Force.

The Subcommittee also met in executive session to hold a hearing on U.S. Air Force Acquisition. Testimony was heard from Gen. John P. Jumper, USAF, Chief of Staff, Department of the Air Force.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Science and Technology. Testimony was heard from Charles McQueary, Under Secretary, Science and Technology, Department of Homeland Security.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies continued appropriation hearings. Testimony was heard from public witnesses.

NAVY FORCE STRUCTURE AND SHIP CONSTRUCTION

Committee on Armed Services: Subcommittee on Projection Forces held a hearing on Navy Force Structure and Ship Construction. Testimony was heard from the following officials of the Department of the Navy: John J. Young, Assistant Secretary (Research, Development and Acquisition); VADM John B. Nathman, USN, Deputy Chief of Naval Operations (N–7) (Warfare Requirements and Programs); and VADM James C. Dawson, Jr., USN, Deputy Chief of Naval Operations (N–8) (Resources, Requirements and Assessments); Ronald O'Rourke, Specialist in National Defense, Congressional Research Service, Library of Congress; and a public witness.

LOGISTICS: LESSONS FROM OPERATION IRAQI FREEDOM

Committee on Armed Services: Subcommittee on Readiness held a hearing on Logistics: Lessons from OPERATION IRAQI FREEDOM and Logistics Transformation. Testimony was heard from the following officials of the Department of Defense: MG Robert T. Dail, USA, Director, Operations, TCJ3, United States Transportation Command; VADM Keith W. Lippert, USN, Director, Defense Logistics Agency; LTG Claude V. Christianson, USA, Deputy Chief of Staff, G4, Department of the Army; and BG Edward G. Usher III, USMC, Assistant Commandant for Installation and Logistics, U.S. Marine Corps.

SUBPRIME LENDING

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit and the Subcommittee on Housing and Community Opportunity held a joint hearing entitled "Subprime Lending: Defining the Market and Its Customers." Testimony was heard from public witnesses.

"A SYSTEM RUED: INSPECTING FOOD"

Committee on Government Reform: Subcommittee on Civil Service and Agency Organization held a hearing entitled "A System Rued: Inspecting Food." Testimony was heard from Lawrence J. Dyckman, Director, National Resources and Environment, GAO; the following officials of the USDA: Robert E. Brackett, Director, Center for Food Safety and Applied Nutrition, FDA; and Merle Pierson, Deputy Under Secretary, Food Safety; Dan Glickman, former Secretary of Agriculture; and a public witness.

DRUG ADDICTION TREATMENT EFFECTIVENESS

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Measuring the Effectiveness of Drug Addiction Treatment." Testimony was heard from the following officials of the Department of Health and Human Services: Charles Currie, Administrator, Substance Abuse and Mental Health Services Administration; and Nora D. Volkow, M.D., Director, National Institute on Drug Abuse, NIH; and public witnesses.

IMPACT OF HEALTH PROTECTION PROGRAMS ON GUARD AND RESERVE UNITS

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Does the 'Total Force' Add Up? The Impact of Health Protection Programs on Guard and Reserve Units." Testimony was heard from the following officials of the Department of Defense: William Winkenwerder, M.D., Assistant Secretary, Health Affairs; LTG James B Peake, M.D., The Surgeon General, U.S. Army; Specialist John A. Ramsey, 32nd Army Air Missile Defense Command, Florida National Guard; Specialist First Class Scott Emde, 20th Special Forces Group, B Company, 3rd Battalion, Virginia National Guard; and Specialist Timothi McMichael, U.S. Army Reserves, Medical Hold Unit, Fort Knox, Kentucky.

NATION'S CRITICAL INFRASTRUCTURE SECURITY

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held a hearing entitled "Telecommunication and SCADA: Secure Links or Open Portals to the Security of the Nation's Critical Infrastructure." Testimony was heard from Robert F. Dacey, Director, Information Security Issues, GAO; James McDonald, Director, Protective Security Division, Department of Homeland Security; and public witnesses.

ADMINISTRATION AND NONPROLIFERATION

Committee on International Relations: Held a hearing on the Bush Administration and Nonproliferation: A New Strategy Emerges. Testimony was heard from John R. Bolton, Under Secretary, Arms Control and International Security, Department of State; and public witnesses.

OVERSIGHT—DEFENSE OF MARRIAGE ACT

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on The Defense of Marriage Act. Testimony was heard from John Hanes, Chairman, Senate Judiciary Committee, State of Wyoming; Bob Barr, former Representative, State of Georgia; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security approved for full Committee action, as amended, the following bills: S. 1301, Video Voyeurism Prevention Act of 2004; H.R. 1678, Anti-Hoax Terrorism Act of 2004; H.R. 1731, Identity Theft Penalty Enhancement Act; and H.R. 3866, Anabolic Steroid Control Act of 2004.

The Subcommittee also held a hearing on S. 1743, Private Security Officer Employment Authorization Act of 2003. Testimony was heard from Michael Kirkpatrick, Assistant Director, Criminal Justice Information Services Division, FBI, Department of Justice; Jeanine Pirro, District Attorney, Westchester County, State of New York; and public witnesses.

ABANDONED MINE RECLAMATION

Committee on Resources: Subcommittee on Energy and Mineral Resources held a hearing on the following bills: H.R. 3796, Abandoned Mine Lands Reclamation Reform Act of 2004; and H.R. 3778, Abandoned Mine Reclamation Program Extension and Reform Act of 2004. Testimony was heard from Jeff Jarrett, Director, Office of Surface Mining, Department of the Interior; J. Steven Roberts, Deputy Secretary, Office of Mineral Resources Management, Department of Environmental Protection, State of Pennsylvania; John A. Masterson, Counsel to the Governor, State of Wyoming; Stephen Hohmann, Director, Division of Abandoned Mine Lands, Department for Natural Resources, State of Kentucky; William Michael Sharpe, Assistant Director, AML Program, Conservation Commission, State of Oklahoma; and public witnesses.

PAY PARITY FOR FEDERAL EMPLOYEES

Committee on Rules: Granted, by voice vote, a closed rule providing 1 hour of debate on H. Res. 581, Expressing the sense of the House of Representatives regarding rates of compensation for civilian employees and members of the uniformed services of the United States, in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform. The rule provides one motion to recommit which may not contain instructions. Testimony was heard from Chairman Davis and Representative Wolf.

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Committee on Rules: Heard testimony from Chairman Young of Alaska and Representatives Petri, Gilchrest, Quinn, Ehlers, Bachus, LaTourette, LoBiondo, Bereuter, Isakson, Graves, Kennedy of Minnesota, Chocola, Gerlach, Tancredo, Vitter, Flake, Kirk, Bradley of New Hampshire, Oberstar, Lipinski, Menendez, Eddie Bernice Johnson of Texas, Millender-McDonald, Blumenauer, Baird, Carson of Indiana, Davis of Tennessee, Waters, Jackson-Lee of Texas, Turner of Texas, Holt, Lynch and Schiff, but action was deferred on H.R. 3550, Transportation Equity Act: A Legacy for Users.

CONGRESSIONAL MEDAL FOR OUTSTANDING CONTRIBUTIONS IN MATH AND SCIENCE EDUCATION ACT

Committee on Science: Subcommittee on Research approved for full Committee action, as amended, H.R. 4030, Congressional Medal for Outstanding Contributions in Math and Science Education Act.

Prior to this action, the Subcommittee held a hearing on this measure. Testimony was heard from Judith Ramaley, Assistant Director, Education and Human Resources Directorate, NSF; and public witnesses.

OVERSIGHT—INCONSISTENT REGULATION OF WETLANDS AND OTHER WATERS

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held an oversight hearing on Inconsistent Regulation of Wetlands and Other Waters. Testimony was heard from Representative Ose; John Paul Woodley, Jr., Assistant Secretary (Civil Works), Department of the Army; Benjamin H. Grumbles, Acting Assistant Administrator, Water, EPA; and public witnesses.

DVA—PROVIDING CERTAIN VETERANS WITH PRESCRIPTION-ONLY HEALTH CARE BENEFIT

Committee on Veterans' Affairs: Subcommittee on Health held a hearing on the Department of Veterans Affairs providing certain veterans with a prescription-only health care benefit. Testimony was heard from the following officials of the Department of Veterans Affairs: Jonathan B. Perlin, M.D., Deputy Under Secretary, Health; Michael A. Valentino, Chief Consultant, Pharmacy Benefits Management; and Barbara J. Manning, Program Analyst, Policy and Forecasting Service; representatives of veterans organizations; and a public witness.

TAX RETURN FILING SEASON AND IRS BUDGET FOR FISCAL YEAR 2005

Committee on Ways and Means: Subcommittee on Oversight held a hearing on 2004 Tax Return Filing Season and the IRS Budget for Fiscal Year 2005. Testimony was heard from the following officials of the Department of the Treasury: Mark Everson, Commissioner, IRS; and Nancy Killefer, Chair, IRS Oversight Board; James R. White, Director, Tax Issues, GAO; and public witnesses.

COUNTERTERRORISM BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Counterterrorism Budget. Testimony was heard from departmental witnesses.

NUCLEAR, BIOLOGICAL, CHEMICAL, RADIOLOGICAL THREATS TO THE HOMELAND

Permanent Select Committee on Intelligence: Subcommittee on Terrorism and Homeland Security met in executive session to hold a hearing on Nuclear, Biological, Chemical, Radiological Threats to the Homeland. Testimony was heard from departmental witnesses.

HOMELAND CYBERSECURITY AND DHS ENTERPRISE ARCHITECTURE BUDGET

Select Committee on Homeland Security: Subcommittee on Cybersecurity, Science and Research and Development held a hearing entitled "Homeland Cybersecurity and DHS Enterprise Architecture Budget Hearing for Fiscal Year 2005." Testimony was heard from the following officials of the Department of Homeland Security: Robert Liscouski, Assistant Secretary, Infrastructure Protection; and Steven Cooper, Chief, Information Officer.

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Wednesday, March 31, 2004

Senate

Chamber Action

Routine Proceedings, pages *5798–5931*

Measures Introduced: Six bills and one resolution were introduced, as follows: S. 2262–2267, and S. Res. 326. **Page 5866**

Measures Passed:

Professional Boxing Amendments Act: Senate passed S. 275, to amend the Professional Boxing Safety Act of 1996, and to establish the United States Boxing Administration, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 5912**

Frist (for McCain) Amendment No. 3006, in the nature of a substitute. **Page 5924**

Budget Resolution—House Message: Senate began consideration of the House Message to accompany S. Con. Res. 95, setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009, and took the following action: **Page 5802**

Senate disagreed to the amendment of the House, agreed to the request for a conference with the House, and the Chair appointed the following conferees on the part of the Senate: Senators Nickles, Domenici, Grassley, Gregg, Conrad, Hollings, and Sarbanes. Page 5817

Welfare Reform Reauthorization: Senate continued consideration of H.R. 4, to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, taking action on the following amendment proposed thereto: Page 5817

Pending:

Boxer/Kennedy Amendment No. 2945, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage. Page 5817

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Thursday, April 1, 2004, provided that there be 60 minutes of debate equally divided, with a vote on the motion to invoke cloture on the committee amendment in the nature of a substitute, to occur at approximately 11:30 a.m. Page 5929

Treaty Approved: The following treaty having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present and having voted in the affirmative, the resolution of ratification was agreed to:

The Protocol to the Agreement of the International Atomic Energy Agency Regarding Safeguards in the United States (Treaty Doc. 107–7), with 2 conditions and 8 understandings. Page 5925

Nominations Confirmed: Senate confirmed the following nominations:

Alphonso R. Jackson, of Texas, to be Secretary of Housing and Urban Development.

2 Air Force nominations in the rank of general.

28 Army nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Navy.

Pages 5924, 5930

Messages From the House: Page 5864

Measures Referred: Page 5865

Executive Communications: Page 5865

Additional Cosponsors: Page 5866

Statements on Introduced Bills/Resolutions: Page 5867

Additional Statements: Page 5864

Amendments Submitted: Page 5873

Authority for Committees to Meet: Page 5911

Privilege of the Floor: Page 5912

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:27 p.m., until 9:30 a.m., on Thursday, April 1, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 5929.)

Committee Meetings

APPROPRIATIONS: DEPARTMENT OF ENERGY

Committee on Appropriations: Subcommittee on Energy and Water Development concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of Energy's Office of Environmental Management, Office of Civilian Radioactive Waste Management, and Office of Environment, Safety and Health, after receiving testimony from Jessie Hill Roberson, Assistant Secretary for Environmental Management, Margaret Chu, Director, Civilian Radioactive Waste Management, and Beverly Cook, Assistant Secretary for Environment, Safety and Health, all of the Department of Energy.

APPROPRIATIONS: INTELLIGENCE

Committee on Appropriations: Subcommittee on Defense concluded a closed hearing to examine proposed budget estimates for fiscal year 2005 for intelligence and world wide threat assessment, after receiving testimony from George Tenet, Director, Central Intelligence Agency.

APPROPRIATIONS: SAA/CAPITOL POLICE

Committee on Appropriations: Subcommittee on Legislative Branch concluded hearings to examine proposed budget estimates for fiscal year 2005 for the U.S. Capitol Police and the Senate Sergeant-at-Arms, after receiving testimony from Terrance W. Gainer, Chief, United States Capitol Police; and William H. Pickle, Senate Sergeant at Arms and Doorkeeper; and W. Wilson Livingood, Chairman, United States Capitol Police Board.

DEFENSE: AUTHORIZATION

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine the Defense authorization request for fiscal year 2005, focusing on active and Reserve military and civilian personnel programs, after receiving testimony from Thomas F. Hall, Assistant Secretary of Defense for Reserve Affairs; Lieutenant General H. Steven Blum, ARNG, Chief, National Guard Bureau, Army National Guard; Lieutenant General Roger C. Schultz, ARNG, Director, Army National Guard; Lieutenant General Daniel James III, ANG, Director, Air National Guard; Lieutenant General James R. Helmly, USAR, Chief, Army Reserve; Vice Admiral John G. Cotton, USNR, Chief, Naval Reserve; Lieutenant General Dennis M. McCarthy, USMCR, Commander, Marine Forces Reserve; and Lieutenant General James E. Sherrard III, USAFR, Chief, Air Force Reserve.

TANKER AIRCRAFT

Committee on Armed Services: Committee met in closed session to receive a briefing on the acquisition of the Boeing KC–767A tanker aircraft from Joseph E. Schmitz, Inspector General, Henry Kleinknecht, Program Director, Contract Audits, John F. Meling, Program Director, Acquisition Audits, Francis E. Reardon, Deputy Inspector General for Auditing, and David K. Steensma, Director, Contract Management Directorate, all of the Office of the Inspector General, Department of Defense.

MUTUAL FUND INDUSTRY

Committee on Banking, Housing, and Urban Affairs: Committee continued hearings to examine the current investigations and regulatory actions regarding the mutual fund industry, focusing on soft-dollar practices, after receiving testimony from Harold S. Bradley, American Century Investments, Kansas City, Missouri; Geoffrey I. Edelstein, Westcap Investors, Los Angeles, California, on behalf of Investment Counsel Association of America, Inc.; Howard M. Schilit, Center for Financial Research and Analysis, Rockville, Maryland; Grady G. Thomas, Jr., The Interstate Group, Division of Morgan Keegan and Company, Inc., Charlotte, North Carolina; and Benn Steil, Council on Foreign Relations, and Joseph M. Velli, The Bank of New York, both of New York, New York.

MUTUAL FUND INDUSTRY

Committee on Banking, Housing, and Urban Affairs: Committee continued a hearing to examine the current investigations and regulatory actions regarding the mutual fund industry, focusing on fund costs and distribution practices, receiving testimony from Senators Fitzgerald, Collins, Levin, and Akaka; Paul G. Haaga, Jr., Capital Research and Management Company, Los Angeles, California, on behalf of the Investment Company Institute; Mark Treanor, Wachovia Corporation, Charlotte, North Carolina, on behalf of the Financial Services Roundtable; Chet Helck, Raymond James Financial, Inc., St. Petersburg, Florida; Thomas O. Putnam, Fenimore Asset Management, Inc., Cobleskill, New York; and Edward A.H. Siedle, Benchmark Financial Services, Inc./Benchmark Companies, Ocean Ridge, Florida.

Committee recessed subject to the call.

NOMINATIONS

Committee on Environment and Public Works: Committee concluded a hearing to examine the nominations of Stephen L. Johnson, of Maryland, to be Deputy Administrator, Ann R. Klee, of Virginia, to be an Assistant Administrator, Charles Johnson, of Utah, to be Chief Financial Officer, who was introduced by Senator Bennett, and Benjamin Grumbles, of Virginia, to be an Assistant Administrator, all of the Environmental Protection Agency, and Gary Lee Visscher, of Maryland, to be a Member of the Chemical Safety and Hazard Investigation Board, after each nominee testified and answered questions in their own behalf.

NATION'S WATER RESOURCE NEEDS

Committee on Environment and Public Works: Subcommittee on Transportation and Infrastructure concluded a hearing to examine the role of the U.S. Army Corps of Engineers in meeting the nation's water resource needs in the 21st century, including related provisions of the proposed Water Resources Development Act of 2004, after receiving testimony from former Representative John T. Myers, on behalf of the National Waterways Conference; John Paul Woodley, Jr., Assistant Secretary of the Army for Civil Works, and Lieutenant General Robert B. Flowers, Chief of Engineers, both of the U.S. Army Corps of Engineers; Steve Levy, Office of the Suffolk County Executive, Hauppauge, New York; Michael A. Leone, American Association of Port Authorities, Alexandria, Virginia; William G. Howland, Lake Champlain Basin Program, Grand Isle, Vermont; Michael W. Cameron, The Nature Conservancy, Reno, Nevada; Derrick Crandall, American Recreation Coalition, Dominic Izzo, American Society of Civil Engineers, Raymond J. Poupore, National Heavy and Highway Alliance, and Scott Faber Environmental Defense, all of Washington, D.C.; and Gregory A. Zlotnick, Santa Clara Valley Water District, San Jose, California.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Paul V. Applegarth, of Connecticut, to be Chief Executive Officer, Millennium Challenge Corporation, Department of State, after the nominee, who was introduced by Senator Schumer, testified and answered questions in his own behalf.

MADRID TERRORIST ATTACKS

Committee on Foreign Relations: Subcommittee on European Affairs concluded a hearing to examine the effects of the Madrid terrorist attacks on U.S. European cooperation in the war on terrorism, after receiving testimony from J. Cofer Black, Coordinator for Counterterrorism, Department of State; Robert Kagan, Carnegie Endowment for International Peace, Robin Niblett, Center for Strategic and International Studies, Philip H. Gordon, Brookings Institution, and James Dobbins, RAND Corporation, all of Washington D.C.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 22 public bills, H.R. 4077–4097, 4100; 2 private bills; H.R. 4098–4099; and 2 resolutions, H. Res. 590–591, were introduced. Page 5796

Additional Cosponsors: Page 5797

Reports Filed: Reports were filed today as follows:

H. Res. 592, waiving a requirement of clause 6(a) of rule XIII with respect to the same day consideration of certain resolutions reported by the rules committee (H. Rept. 108–455); and

H. Res. 593, providing for further consideration of H.R. 3550, to authorize funds for Federal-aid highways and highway safety programs, and transit programs (H. Rept. 108–456). Page 5796

Speaker: Read a letter from the Speaker wherein he appointed Representative LaHood to act as Speaker Pro Tempore for today. Page 5752

Chaplain: The prayer was offered today by Rev. Cynthia O. Baskin, Rector, St. James Episcopal Church in Potomac, Maryland. Page 5752

Committee Election: The House agreed to H. Res. 590, electing Representative Chandler to the Committees on Agriculture and International Relations. Page 5753

Suspensions: The House agreed to suspend the rules and pass the following measure:

Providing for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through June 4, 2004: H.R. 4062, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through June 4, 2004. Page 5755

Sense of the House regarding compensation rates for civilian employees and members of the uniformed services: The House agreed to H. Res. 581, expressing the sense of the House of Representatives regarding rates of compensation for civilian employees and members of the uniformed services of the United States, by a yea-and-nay vote of 299 yeas to 126 nays, Roll No. 104. Page 5760

H. Res. 585, the rule providing for consideration of the resolution was agreed to by a voice vote. Page 5759

Recess: The House recessed at 12:31 p.m. and reconvened at 7:20 p.m. Page 5769

Recess: The House recessed at 11:04 p.m. and reconvened at 8:52 a.m. on Thursday, April 1. Page 5793

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings today and appears on page 5769. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:53 a.m. on Thursday, April 1.

Committee Meetings

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies held a hearing on FCC. Testimony was heard from Michael Powell, Chairman, FCC.

The Subcommittee also held a hearing on the SEC. Testimony was heard from William H. Donaldson, Chairman, SEC.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on Missile Defense. Testimony was heard from LTG Ronald Kadish, USAF, Director, Missile Defense Agency, Department of Defense.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on Contributions of the Army Corps of Engineers in the Restoration of Iraq and Afghanistan. Testimony was heard from LTG Robert B. Flowers, USA, Chief, Corps of Engineers, Department of the Army.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on U.S. Coast Guard. Testimony was heard from ADM Thomas H. Collins, USCG, Commandant, U.S. Coast Guard, Department of Homeland Security.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on the Centers for Disease Control and Prevention. Testimony was heard from Julie Louise Gerberding, M.D., Director, Centers for Disease Control and Prevention, and Administrator, Agency for Toxic Substances and Disease Registry, Department of Health and Human Services.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on the Pacific Command. Testimony was heard from the following officials of the Department of Defense: ADM Thomas B. Fargo, USN, Commander, U.S. Pacific Command; and GEN Leon J. LaPorte, USA, Commander, Republic of Korea-U.S. Combines Forces Command and Command Forces Korea.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD and Independent Agencies held a hearing on the Department of Veterans Affairs. Testimony was heard from Anthony J. Principi, Secretary of Veterans Affairs.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—DOD

Committee on Armed Services: Held a hearing on the Fiscal Year 2005 National Defense Authorization budget request of the Department of Defense. Testimony was heard from the following officials of the Department of Defense: ADM Thomas B. Fargo, USN, Commander, U.S. Pacific Command; and GEN Leon J. Laporte, USA, Commander, U.S. Forces Korea.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—DOD'S BUSINESS TRANSFORMATION EFFORTS

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the Fiscal Year 2005 National Defense Authorization budget request—Department of Defense's Business Transformation Efforts. Testimony was heard from Gregory D. Kutz, Director, Financial Management and Assurance, GAO; the following officials of the Department of Defense: JoAnn Boutelle, Deputy Chief Financial Officer; Margaret E. Myers, Principal Deputy Under Secretary (Comptroller) and the Deputy Under Secretary, Management Reform; Gary L. Winkler, Director, Enterprise Integration, CIO/G6, Department of the Army; David M. Wennergren, Chief Information Officer, Department of the Navy; John M. Gilligan, Chief Information Officer, Department of the Air Force; BG John R. Thomas, USMC, Director C/4 Chief Information Officer, U.S. Marine Corps; and public witnesses.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—RESERVE COMPONENT TRANSFORMATION

Committee on Armed Services: Subcommittee on Total Force held a hearing on the Fiscal Year 2005 National Defense Authorization budget request on Reserve Component Transformation and Relieving the Stress on the Reserve Component. Testimony was heard from the following officials of the Department of Defense: Albert C. Zapanta, Chairman, Reserve Forces Policy Board; Thomas F. Hall, Assistant Secretary, Reserve Affairs; LTG H. Steven Blum, USA, Chief, National Guard Board; LTG Roger C. Schultz, USA, Director, Army National Guard and LTG James Helmly, USA, Chief, U.S. Army Reserve, all with the Department of the Army; VADM John G. Cotton, USN, Director, U.S. Naval Reserve and LTG Dennis M. McCarthy, USMC, Commander, Marine Forces Reserve, both with the Department of the Navy; and LTG Daniel James III, USAF, Director, Air National Guard and LTG James E. Sherrard III, USAF, Chief, Air Force Reserve, both the Department of the Air Force.

U.S.-CHINA TRADE

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled "U.S.-China Trade: Preparations for the Joint Commission on Commerce and Trade." Testimony was heard from Charles W. Freeman III, Deputy Assistant U.S. Trade Representative; and public witnesses.

REVIEW TARGETING PROGRAM FOR SEA CARGO

Committee on Energy Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "A Review to Assess Progress with the Bureau of Customs and Border Protection's Targeting Program for Sea Cargo." Testimony was heard from the following officials of the Department of Homeland Security: Jayson Ahern, Assistant Commissioner; Vera Adams Port Director, Long Beach, CA., and Kevin McCabe, Chief Inspector, Newark, New Jersey, all with the Bureau of Customs and Border Protection, and Clark Kent Ervin, Inspector General; and a public witness.

INCREASE INSURANCE CHOICES FOR CONSUMERS

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "Working with State Regulators to Increase Insurance Choices for Consumers." Testimony was heard from public witnesses.

OVERSIGHT—"10 YEARS OF GPRA—RESULTS DEMONSTRATED"

Committee on Government Reform: Subcommittee on Government Efficiency and Financial Management held an oversight hearing entitled "10 Years of GPRA—Results, Demonstrated." Testimony was heard from Patricia Dalton, Director, Strategic Issues, GAO; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Ordered reported the following bills: H.R. 4019, Concerning participation of Taiwan in the World Health Organization; H.R. 4011, amended, North Korea Human Rights Act of 2004; H.R. 4060, Peace Corps Safety and Security Act of 2004; H.R. 4061, Assistance for Orphaned and Vulnerable Children in Developing Countries Act of 2004.

The Committee also favorably considered the following measures and adopted a motion urging the Chairman to request that they be considered on the Suspension Calendar: H.R. 4053, United States International Leadership Act of 2003; H. Res. 402, Expressing the sense of the House of Representatives regarding the urgent need for freedom, democratic reform, and international monitoring

of elections, human rights, and religious liberty in the Lao People's Democratic Republic; H. Res. 535, amended, Expressing the concern and support of the House of Representatives for local elected officials under threat of assassination, kidnapping, forcible displacement, and coercion by terrorist organizations in the Republic of Colombia; H. Res. 563, amended, Expressing the sense of the House of Representatives regarding the one-year anniversary of the human rights crackdown in Cuba; H. Res. 576, amended, Urging the Government of the People's Republic of China to improve its protection of intellectual property rights; H. Con. Res. 326, Expressing the sense of Congress regarding the arbitrary detention of Dr. Wang Bingzhang by the Government of the People's Republic of China and urging his immediate release; H. Con. Res. 336, Expressing the sense of Congress that the continued participation of the Russian Federation in the Group of 8 nations should be conditioned on the Russian Government voluntarily accepting and adhering to the norms and standards of democracy; H. Con. Res. 352, Recognizing the contributions of people of Indian origin to the United States and the benefits of working together with India towards promoting peace, prosperity, and freedom among all countries of the world; H. Con. Res. 378, Calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Thaddeus Nguyen Van Ly; and H. Con. Res. 398, Expressing the concern of Congress over Iran's development of the means to produce nuclear weapons.

BELARUS AND ITS FUTURE

Committee on International Relations: Subcommittee on Europe held a hearing on Belarus and Its future: Democracy or Soviet-Style Dictatorship? Testimony was heard from public witnesses.

ANABOLIC STEROID CONTROL ACT

Committee on the Judiciary: Ordered reported, as amended, H.R. 3866, Anabolic Steroid Control Act of 2004.

OVERSIGHT—LEGAL SERVICES CORPORATION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held an oversight hearing on the Legal Services Corporation: Inquiry into the Activities of the California Rural Legal Assistance Program and Testimony Relating to the Merits of Client Co-Pay. Testimony was heard from Helaine M. Barnett, President, Legal Services Corporation; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property approved for full Committee action, as amended, the following bills: H.R. 4077, Piracy Deterrence and Education Act of 2004; H.R. 3632, Anti-Counterfeiting Amendments of 2003; and H.R. 3754, Fraudulent Online Sanctions Act.

OVERSIGHT—BUREAU OF INDIAN AFFAIRS—FEDERAL RECOGNITION AND ACKNOWLEDGMENT PROCESS

Committee on Resources: Held an oversight hearing on the Federal recognition and acknowledgment process by the Bureau of Indian Affairs. Testimony was heard from Representatives Johnson of Connecticut; R. Lee Fleming, Director, Office of Federal Acknowledgment, Bureau of Indian Affairs, Department of the Interior; and public witnesses.

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Committee on Rules: Granted, by voice vote, a structured rule providing for further consideration of H.R. 3550, Transportation Equity Act: A Legacy for Users. The rule provides for no further general debate except for the final period of ten minutes following consideration of the bill for amendment contemplated in the order of the House of March 30, 2004. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, modified by the amendments printed in part A of the Rules Committee report accompanying the resolution, shall be considered as adopted in the House and in the Committee of the Whole. The rule provides that the bill, as amended, shall be considered as the original bill for the purpose of further amendment and shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule makes in order only those amendments printed in part B of the Rules Committee report which may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment or demand for division of the question. The rule waives all points of order against the amendments printed in the report. The rule provides one motion to recommit with or without instructions. Section 2 of the resolution provides that the amendment considered as adopted under the first section of the resolution shall be considered an amendment offered under section 411 of House Concurrent Resolution 95.

SAME DAY CONSIDERATION OF RESOLUTION REPORTED BY THE RULES COMMITTEE CONCERNING TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of

Thursday, April 1, 2004, providing for consideration or disposition of the bill (H.R. 3550) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

MISCELLANEOUS MEASURES

Committee on Science: Ordered reported, as amended, the following bills: H.R. 3980, National Windstorm Impact Reduction Act of 2004; and H.R. 4030, Congressional Medal for Outstanding Contributions in Math and Science Education Act. of 2004.

The Committee also began markup of H.R. 3970, Green Chemistry Research and Development Act of 2004.

Will continue tomorrow.

RAILROAD ECONOMIC REGULATION STATUS

Committee on Transportation and Infrastructure: Subcommittee on Railroads held a hearing on the Status of Railroad Economic Regulation. Testimony was heard from Roger Nober, Chairman, Surface Transportation Board, Department of Transportation; and public witnesses.

DOV'S EMPLOYMENT PRACTICES—PROCEDURES FOR BACKGROUND CHECKS AND CREDENTIALING

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing on current Department of Veterans Affairs employment practices with regard to procedures for background checks and credentialing. Testimony was heard from Cynthia Grubbs, R.N., Director, Office of Policy and Planning, Bureau of Health Professions, Health Resources and Services Administration, Department of Health and Human Services; Cynthia A. Bascetta, Director, Health Care—Veterans' Health and Benefits Issues, GAO; and Frances M. Murphy, M.D., Deputy Under Secretary, Health Policy Coordination, Veterans Health Administration, Department of Veterans Affairs

BRIEFING IRAQ WMD UPDATE

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Iraq Weapons of Mass Destruction Update. The Committee was briefed by departmental witnesses.

COUNTERINTELLIGENCE BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Counterintelligence Budget. Testimony was heard from departmental witnesses.

Joint Meetings

2005 BUDGET

Conferees met to resolve the differences between the Senate and House passed versions of S. Con. Res. 95, setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009, but did not complete action thereon, and recessed subject to the call.

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Thursday, April 1, 2004

Senate

Chamber Action

Routine Proceedings, pages 5946–6030

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 2268–2279, and Res. 327–328. **Page 5994**

Measures Passed:

Normandy Landing Anniversary: Committee on the Judiciary was discharged from further consideration of S.J. Res. 28, recognizing the 60th anniversary of the Allied landing at Normandy during World War II, and the resolution was then passed. **Page 6023**

Small Business Temporary Extension: Senate passed H.R. 4062, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through June 4, 2004, clearing the measure for the President. **Page 6024**

Welfare Reform Reauthorization: Senate continued consideration of H.R. 4, to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, taking action on the following amendment proposed thereto: **Pages 5956, 5971**

Pending:

Boxer/Kennedy Amendment No. 2945, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage. **Page 5956**

During consideration of this measure today, Senate also took the following action:

By 51 yeas to 47 nays (Vote No. 65), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the committee amendment in the nature of a substitute. **Page 5965**

Nominations Received: Senate received the following nominations:

Otis Webb Brawley, Jr., of Georgia, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring June 20, 2009. (Reappointment)

Vinicio E. Madrigal, of Louisiana, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring June 20, 2009. (Reappointment)

Michael W. Marine, of Vermont, to be Ambassador to the Socialist Republic of Vietnam.

Routine lists in the Army. Page 6030

Messages From the House: Page 5993

Measures Referred: Page 5993

Enrolled Bills Presented: Page 5993

Executive Communications: Page 5993

Executive Reports of Committees: Page 5994

Additional Cosponsors: Page 5995

Statements on Introduced Bills/Resolutions: Page 5996

Additional Statements: Page 5992

Amendments Submitted: Page 6019

Notices of Hearings/Meetings: Page 6022

Authority for Committees to Meet: Page 6022

Privilege of the Floor: Page 6023

Record Votes: One record vote was taken today. (Total—65) Page 5966

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:12 p.m., until 9 a.m., on Friday, April 2, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 6028.)

Committee Meetings

APPROPRIATIONS: NATIONAL INSTITUTES OF HEALTH

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Related Agencies, and Education concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the National Institutes of Health, after receiving testimony from Elias Zerhouni, Director, National Institutes of Health, Department of Health and Human Services, who was accompanied by several of his associates.

APPROPRIATIONS: INDIAN HEALTH SERVICE

Committee on Appropriations: Subcommittee on Interior and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Indian Health Service, Department of Health and Human Services, after receiving testimony from Charles W. Grim, Assistant Surgeon General, and Director, Indian Health Service, and Gary J. Hartz, Assistant Surgeon General, Acting Director, Office of Public Health, both of the Department of Health and Human Services.

APPROPRIATIONS: DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of Housing and Urban Development, after receiving testimony from John Weicher, Commissioner, Federal Housing Administration, Michael Liu, Assistant Secretary for Public and Indian Housing, Roy A. Benardi, Assistant Secretary for Community Planning and Development, all of the Department of Housing and Urban Development.

U.S. POSTAL SERVICE

Committee on Appropriations: Subcommittee on Transportation, Treasury, and General Government held a hearing to examine future challenges facing the United States Postal Service, focusing on the Transformation Plan of both the near-term and long-term efforts that will result in a continued ability to fulfill the mission of the Postal Service—to deliver business and personal mail affordably to everyone, everywhere, receiving testimony from John E. Potter, Postmaster General and Chief Executive Officer, U.S. Postal Service.

APPROPRIATIONS: AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for certain programs under its jurisdiction, after receiving testimony from Eric M. Bost, Under Secretary for Food Nutrition and Consumer Services, Elsa A. Murano, Under Secretary for Food Safety, and William T. Hawks, Under Secretary for Marketing and Regulatory Programs, all of the Department of Agriculture; and Lester M. Crawford, Acting Commissioner, Food and Drug Administration, Department of Health and Human Services.

DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded a hearing to examine the proposed Defense Authorization Request for fiscal year 2005, focusing on the military strategy and operational requirements of the unified and regional commands, after receiving testimony from Admiral Thomas B. Fargo, USN, Commander, U.S. Pacific Command, U.S. Navy; General Leon J. LaPorte, USA, Commander, United Nations Command and Republic of Korea/United States Combined Forces Command, and Commander, U.S. Forces Korea, U.S. Army; and General James T. Hill, USA, Commander, U.S. Southern Command, U.S. Army.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded a hearing to examine the proposed Defense Authorization Request for fiscal year 2005, focusing on military installation programs, after receiving testimony from Raymond F. DuBois, Deputy Under Secretary of Defense for Installations and Environment; Major General Larry J. Lust, USA, Assistant Chief of Staff for Installation Management, U.S. Army; Rear Admiral Christopher Weaver, USN, Commander, Navy Installations Command; Brigadier General Willie J. Williams, USMC, Assistant Deputy Commandant, Installations and Logistics (Facilities), U.S. Marine Corps; and Major General L. Dean Fox, USAF, Air Force Civil Engineer.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported S. 1508, to address regulation of secondary mortgage market enterprises, with an amendment in the nature of a substitute.

NASA'S BUDGET

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the President's proposed fiscal year 2005 budget request for the National Aeronautics and Space Administration (NASA), focusing on goals set forth in the new U.S. space exploration policy, major implementation elements and associated budget details, implications for NASA's organization, and what the Nation's future in exploration and discovery will look like in the coming years, after receiving testimony from Sean O'Keefe, Administrator, National Aeronautics and Space Administration.

AIR QUALITY STANDARDS

Committee on Environment and Public Works: Subcommittee on Clean Air, Climate Change and Nuclear Safety concluded an oversight hearing to examine the implementation of the National Ambient Air Quality Standards for particulate matter and ozone, focusing on Federal and State governments meeting standards to improve air quality, after receiving testimony from Michael O. Leavitt, Administrator, Environmental Protection Agency; Robert A. Eckels, County Judge, Harris County, Texas; Michael Fisher, Greater Cincinnati Chamber of Commerce, Cincinnati, Ohio; and George D. Thurston, New York University School of Medicine, New York.

ECONOMIC TREATIES

Committee on Foreign Relations: Committee concluded a hearing to examine the Convention on International Interests in Mobile Equipment and Protocol to Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment, concluded at Cape Town, South Africa, on November 16, 2001 (Treaty Doc. 108–10), Additional Protocol Between the Government of the United States of America and the Government of Romania Concerning the Reciprocal Encouragement and Protection of Investment of May 28, 1992, signed at Brussels on September 22, 2003 (Treaty Doc. 108–13), Additional Protocol Between the United States of America and the Republic of Bulgaria Amending the Treaty Between the United States of America and the Republic of Bulgaria Concerning the Encouragement and Reciprocal Protection of Investment of September 23, 1992, signed at Brussels on September 22, 2003 (Treaty Doc. 108–15), Protocol Between the Government of the United States of America and the Government of the Republic of Estonia to the Treaty for the Encouragement and Reciprocal Protection of Investment of April 19, 1994, signed at Brussels on October 24, 2003 (Treaty Doc. 108–17), Additional Protocol Between the United States of America and the Czech Republic to the Treaty Between the United States of America and the Czech and Slovak Federal Republic Concerning the Reciprocal Encouragement and Protection of Investment of October 22, 1991, signed at Brussels on December 10, 2003 (Treaty Doc. 108–18), Additional Protocol Between the United States of America and the Slovak Republic to the Treaty Between the United States of America and the Czech and Slovak Federal Republic Concerning the Reciprocal Encouragement and Protection of Investment of October 22, 1991, signed at Brussels on September 22, 2003 (Treaty Doc. 108–19), Additional Protocol Between the Government of the United States of America and the Government of the Republic of Latvia to the Treaty for the Encouragement and Reciprocal Protection of Investment of January 13, 1995, signed at Brussels on September 22, 2003 (Treaty Doc. 108–20), Additional Protocol Between the Government of the United States of America and the Government of the Republic of Lithuania to the Treaty for the Encouragement and Reciprocal Protection of Investment of January 14, 1998, signed at Brussels on September 22, 2003 (Treaty Doc. 108–21), and the Additional Protocol Between the United States of America and the Republic of Poland to the Treaty Between the United States of America and the Republic of Poland Concerning Business and Economic Relations of March 21, 1990, signed at Brussels on January 12, 2004 (Treaty Doc. 108–22), after receiving testimony from Shaun E. Donnelly, Acting Assistant Secretary of State for Economic and Business Affairs; and Jeffrey Rosen, General Counsel, Department of Transportation.

NOMINATIONS

Committee on the Judiciary: Committee ordered favorably reported the nominations of Peter W. Hall, of Vermont, to be United States Circuit Judge for the Second Circuit, William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit, Roger T. Benitez, to be United States District Judge for the Southern District of California, Jane J. Boyle, to be United States Dis-

trict Judge for the Northern District of Texas, Marcia G. Cooke, to be United States District Judge for the Southern District of Florida, Paul S. Diamond, to be United States District Judge for the Eastern District of Pennsylvania, Walter D. Kelley, Jr., to be United States District Judge for the Eastern District of Virginia, and Matthew G. Whitaker, to be United States Attorney for the Southern District of Iowa, Department of Justice.

TEMPORARY GUEST WORKER PROPOSAL

Committee on the Judiciary: Subcommittee on Immigration and Border Security concluded a hearing to examine the security of this nation's borders under the proposed temporary guest worker program, after receiving testimony from Robert Bonner, Commissioner, U.S. Customs and Border Protection, and C. Stewart Verdery, Jr., Assistant Secretary for Policy, Border and Transportation Security Directorate, both of the Department of Homeland Security; Donna Bucella, Director, Terrorist Screening Center, Federal Bureau of Investigation, Department of Justice; Daniel Griswald, Cato Institute, Washington, D.C.; and Margaret D. Stock, U.S. Military Academy, West Point, New York.

NOMINATIONS

Committee on Veterans' Affairs: Committee concluded a hearing to examine the nominations of Robert N. Davis, to be a Judge of the United States Court of Appeals for Veterans Claims, who was introduced by Senators Cochran and Lott; and Pamela M. Iovino, of the District of Columbia, to be an Assistant Secretary of Veterans Affairs for Congressional Affairs, who was introduced by Representative Murphy, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Measures Introduced: 26 public bills, H.R. 4101–4126 and 2 resolutions, H. Con. Res. 403, and H. Res. 594, were introduced. **Page 6309**

Additional Cosponsors: **Page 6310**

Reports Filed: Reports were filed today as follows:

Conference report on H.R. 3108, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions (H. Rept. 108–457). **Page 6309**

Chaplain: The prayer was offered today by Monsignor James C. Kidder, Pastor, Holy Trinity Catholic Church in El Dorado, California. **Page 6031**

Transportation Equity Act—A Legacy for Users: The House began consideration of H.R. 3550, to authorize funds for Federal-aid highways, highway safety programs, and transit programs. Further proceedings will resume in Friday, April 2. **Page 6034**

The amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, modified by the amendments printed in part A of H. Rept. 108–456 was considered as adopted and that the bill as amended shall be considered as the original bill for the purpose of further amendment. **Page 6256**

Consideration began today on the Bradley amendment No. 20 printed in H. Rept. 108–456 that increases the allowable weight of vehicles permitted to travel on interstate highways 93 and 89, in New Hampshire, from 80,000 to 99,000 pounds and instructs the New Hampshire Department of Transportation to conduct a study to discern the economic, safety and infrastructure impact to the exemption. Further proceedings on the amendment will continue on Friday, April 2. **Page 6256**

Agreed to:

Young of Alaska manager's amendment No. 1 printed in part B of H. Rept. 108–456, as modified, that makes various substantive and technical changes; **Page 6229**

Eddie Bernice Johnson amendment No. 2 printed in Part B of H. Rept. 108–456 that requires the Transportation Department to make its report on how federal surface transportation funds are allocated available to the public via the Internet in a user-friendly format; **Page 6229**

Schiff amendment No. 6 printed in part B of H. Rept. 108–456 that strikes the toll requirement placed on hybrid gasoline-electric car users regarding the use of high-occupancy vehicle lanes; **Page 6236**

Baird amendment No. 10 printed in part B of H. Rept. 108–456 that expresses the Sense of Congress to clarify that the Buy America Act applies to overall projects, and not their component parts; **Page 6241**

LoBiondo amendment No. 13 printed in H. Rept. 108–456 that provides states eligibility to receive Section 410, Alcohol-Impaired Countermeasures grant funding to cover the costs of DWI vehicle impoundment programs; **Page 6244**

Wu amendment No. 14 printed in part B of H. Rept. 108–456, as modified, that exempts projects, for which the Secretary of Transportation has received an application for final design, from the small start provisions of the bill and allows recommended new start projects, which have applied for final design, to move forward on their original timeline and avoid unnecessary delay; **Page 6245**

LaTourette amendment No. 15 printed in H. Rept 108–456, as modified, that requires that in the case of construction projects steel or iron used must be of U.S. origin; more than 60% of the cost components and subcomponents of all manufactured products shall be of U.S.

origin; and in the case of manufactured components final assembly must occur in the U.S.; Page 6246

Bereuter amendment No. 18 printed in H. Rept. 108–456, as modified, that continues the farm supply and agricultural commodity exemption to the hours of service for drivers rules and clarifies the definition of "agricultural commodities" and "farm supplies for agricultural purposes" and Page 6252

Bachus amendment No. 17 printed in H. Rept. 108–456 that exempts motion picture and television production truck drivers from the new hours of service regulations that went into effect at the beginning of this year (agreed to by a recorded vote of 365 ayes to 62 noes, Roll No. 109). Pages 6250, 6255

Rejected:

Graves amendment No. 8 printed in part B of H. Rept. 108–456 that sought to eliminate liability under state law for an owner of a motor vehicle who is engaged in the business of renting and leasing motor vehicles provided there is no negligence or criminal wrongdoing on the part of the motor vehicle owner; Page 6237

Holt amendment No. 11 printed in part B of H. Rept. 108–456, as modified, that sought to preserve the authority and right of the State of New Jersey to restrict trucks to only using interstate highways, the New Jersey Turnpike, and the Atlantic City Expressway in New Jersey unless they are traveling to a terminal or making pickups or deliveries on other roads in New Jersey; Page 6242

Waters amendment No. 12 printed in part B of H. Rept. 108–456 that sought to prohibit the use of funds for surface transportation projects that are planned or required to implement any proposal to build a remote passenger check-in facility at Los Angeles International Airport; Page 6243

Crowley amendment No. 16 printed in H. Rept. 108–456 that sought to create a pilot program that facilitates the use of natural gas buses at the nation's top 25 busiest airports; Page 6248

Flake amendment No. 3 printed in H. Rept. 108–456 that sought to subtract the amount that states receive in High Priority Program earmarks from their formula totals for the Surface Transportation Program; also prevents the Minimum Guaranty Program from backfilling for what comes out of states' Surface Transportation Program funding; and apportions to states, via formula, any funding remaining in the High Priority Program (rejected by a recorded vote of 60 ayes to 367 noes, Roll No. 106); Pages 6230, 6253

Jackson-Lee amendment No. 4 printed in H. Rept. 108–456 that sought to allow states to receive toll credits for any local, state, or private funds contributed to a toll project that exceed the minimum nonfederal 20% threshold required for federal match (rejected by a recorded vote of 50 ayes to 376 noes, Roll No. 107); and Pages 6232, 6254

Chocola amendment No. 9 printed in H. Rept. 108–456 that sought to provide for a 400-pound weight limit exclusion for any motor vehicle equipped with an idling reduction technology verified by the Environmental Protection Agency (rejected by a recorded vote of 198 ayes to 228 noes, Roll No. 108). Pages 6239, 6254

Withdrawn:

Shadegg amendment No. 5 printed in part B of H. Rept. 108–456 that was offered and subsequently withdrawn that would have ensured that Congestion Mitigation and Air Quality Improvement Program funds will be made available for areas which are not in attainment of air quality standards for either coarse particulate matter or fine particular matter; Page 6234

Vitter amendment No. 7 printed in part B of H. Rept. 108–456 that was offered and subsequently withdrawn that would have ensured the Interstate Route 49 Corridor is given priority consideration under the new National Corridor Infrastructure Improvement Program; and Page 6237

Kirk amendment No. 21 printed in H. Rept. 108–456 that was offered and subsequently withdrawn that would have authorized states the authority to administer requirements governing the sounding of a locomotive horn when a train approaches and enters upon public highway-rail grade crossings. Page 6258

General debate on the bill proceeded according to a unanimous consent agreement reached on Tuesday, March 30.

Further consideration of the bill proceeded according to H. Res. 593, which was agreed to by a voice vote, after agreeing to order the previous question by a yea-and-nay vote of 229 yeas to 194 nays, Roll No. 105. Page 6084

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 9 a.m. on Friday, April 2. Page 6305

Late Report: Agreed that the Committee on Science have until 5 p.m. on Wednesday, April 14 to file reports on H.R. 3970 and H.R. 4030. Page 6256

Law Revision Counsel—Resignation: Read a letter from John R. Miller wherein he retired as Law Revision Counsel, effective May 3, 2004. Page 6258

Law Revision Counsel—Appointment: The Chair announced the Speaker's appointment of Mr. Peter LeFevre as Law Revision Counsel for the House of Representatives, effective May 4, 2004. Page 6259

Pension Funding Equity Act of 2003—Order of Business: Agreed that it be in order at any time to consider a conference report to accompany H.R. 3108, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions; that the conference re-

port be considered as read; and that all points of order against the conference report and its consideration be waived. Page 6287

Senate Message: Message received from the Senate today appears on page 6031.

Senate Referral: S. 275 was referred to the Committees on Education and the Workforce and Energy and Commerce. Page 6305

Quorum Calls—Votes: One yea-and-nay vote and four recorded votes developed during the proceedings today and appear on pages 6084 and 6253–56. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:15 p.m.

Committee Meetings

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies held a hearing on Broadcasting Board of Governors. Testimony was heard from the following officials of the Broadcasting Board of Governors: Kenneth Tomlinson, Chairman; and Norman Pattiz, member of the Board.

The Subcommittee held a hearing on Department of State International Organizations. Testimony was heard from the following officials of the Department of State: Ambassador John D. Negroponte, U.S. Permanent Representative to the United Nations; and Kim Holmes, Assistant Secretary.

The Subcommittee also held a hearing on the Legal Services Corporation. Testimony was heard from the following officials of the Legal Services Corporation: Helanine Barnett; President; and Frank B. Strickland, Chairman.

DISTRICT OF COLUMBIA APPROPRIATIONS

Committee on Appropriations: Subcommittee on District of Columbia held a hearing on Public Defender Services, Court Services, and Offender Supervision. Testimony was heard from the following officials of the District of Columbia: Ronald S. Sullivan, Director, Public Defender Services; and Paul A. Quander, Jr., Director, Court Services and Offender Supervision.

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing and Related Programs held a hearing on U.S. Agency for International Development. Testimony was heard from Andrew S. Natsios, Administrator, U.S. Agency for International Development, Department of State.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Information Analysis and Infrastructure Protection. Testimony was heard from LTG Frank Libutti, Under Secretary, Information Analysis and Infrastructure Protection, Department of Homeland Security.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior held a hearing on the National Endowment for the Arts and on the National Endowment for the Humanities. Testimony was heard from the following officials of the National Foundation on the Arts and the Humanities: Dana Gioia, Chairman, National Endowment for the Arts; and Bruce Cole, Chairman, National Endowment for the Humanities.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Workforce Preparation and Training. Testimony was heard from the following officials of the Department of Education: Susan K. Sclafani, Assistant Secretary, Office of Vocational and Adult Education; and Sally Stroup, Assistant Secretary, Office of Postsecondary Education.

TRANSPORTATION, TREASURY, INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury, Independent Agencies held a hearing on the Executive Office of the President. Testimony was heard from Tim Campen, Assistant to the President and Director of Office of Administration.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD and Independent Agencies held a hearing on the NSF. Testimony was heard from the following officials of the NSF: Arden L. Bement, Acting Director; and Warren M. Washington, Chairman.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—FUTURE COMBAT SYSTEM AND FORCE PROTECTION INITIATIVES

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on the Fiscal Year 2005 National Defense Authorization budget request—Future Combat System and Force Protection Initiatives. Testimony was heard from Paul L. Francis, Director, Acquisition and Sourcing Management, GAO; the following officials of the Department of Defense: LTG Joseph L. Yakovac, Jr., USA, Military Deputy and Director, Army Acquisition Corps, Office of the Assistant Secretary (Ac-

quisition, Logistics and Technology), and LTG Benjamin S. Griffin, USA, Deputy Chief of Staff, G8 (programming, materiel integration, and management), both with the Department of the Army; and LTG Edward Hanlon, Jr., USMC, Deputy Commandant, Combat Development, U.S. Marine Corps.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—CHEMICAL WEAPONS STOCKPILE DESTRUCTION PROGRAM

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on the Fiscal Year 2005 National Defense Authorization budget request—Destructions of the U.S. Chemical Weapons Stockpile—Program and Status. Testimony was heard from Raymond J. Decker, Director, Defense Capabilities and Management, GAO; the following officials of the Department of Defense: Dale E. Klein, Assistant to the Secretary, Nuclear, Chemical and Biological Defense Programs; Claude Bolton, Assistant Secretary of the Army (Acquisition, Technology and Logistics); Pat Wakefield, Deputy Assistant Secretary (Chemical Demilitarization and Counterproliferation); and Mike Parker, Director, U.S. Army Chemical Material Agency; Craig Conklin, Chief, Nuclear and Chemical Hazards Branch Preparedness Division, Emergency Preparedness and Response Directorate, Department of Homeland Security; Patrick J. Meehan, M.D., Deputy Director, Program National Center for Environmental Health, Centers for Disease Control and Prevention and Agency for Toxic Substances and Disease Registry, Department of Health and Human Services.

DEPARTMENT OF ENERGY BUDGET PRIORITIES

Committee on Energy and Commerce: Held a hearing entitled "FY 2005 Budget Priorities for the Department of Energy." Testimony was heard from Spencer Abraham, Secretary of Energy.

INTER-GOVERNMENTAL TRANSFERS

Committee on Energy and Commerce: Subcommittee on Health continued hearings entitled "Inter-governmental Transfers: Violations of the Federal-State Medicaid Partnership or Legitimate State Budget Tool?" Testimony was heard from Dennis G. Smith, Director, Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and Barbara Edwards, Deputy Director, Office of Medicaid, Department of Job and Family Services, State of Ohio.

SATELLITE HOME VIEWER IMPROVEMENT REAUTHORIZATION ACT

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing on the Satellite Home Viewer Improvement Reauthorization Act of 2004. Testimony was heard from Eloise Gore, Assistant Division Chief, Media Bureau's Policy Division, FCC; and public witnesses.

OVERSIGHT—OFFICE OF THE COMPTROLLER OF THE CURRENCY

Committee on Financial Services: Held a hearing entitled "Oversight of the Office of the Comptroller of the Currency." Testimony was heard from John D. Hawke, Jr., Comptroller of the Currency.

MISCELLANEOUS MEASURES

Committee on Government Reform: Ordered reported the following measures: H.R. 3737, amended, Administrative Law Judges Pay Reform Act of 2004; H.R. 3751, amended, to require the Office of Personnel and Management study and present options under which dental and vision benefits could be made available to Federal employees and other appropriate classes of individuals; H.R. 4012, to amend the District of Columbia College Access Act of 1999 to permanently authorize the public school and private school tuition assistance programs established under the Act; H.R. 1822, to designate the facility of the United States Postal Service located at 3751 West 6th Street in Los Angeles, California, as the "Dosan Ahn Chang Ho Post Office"; H.R. 3939, to redesignate the facility of the United States Postal Service located at 14–24 Abbot Road in Fair Lawn, New Jersey, as the " Mary Ann Collura Post Office Buidling"; H.R. 3942, to designate the facility of the United States Postal Service located at 7 Commercial Boulevard in Middletown, Rhode Island, as the "Rhode Island Veterans Post Office Building"; H.R. 4037, to designate the facility of the United States Postal Service located at 475 Kell Farm Drive in Cape Girardeau, Missouri, as the "Richard G. Wilson Processing and Distribution Facility"; H. Res. 399, Honoring the life and legacy of Melvin Jones and recognizing the contributions of Lions Clubs International; H. Res. 578, Supporting the goals and ideals of Financial Literacy Month; and S. Con. Res. 97, Recognizing the 91st annual meeting of the Garden Club of America.

"AFGHANISTAN: ARE THE BRITISH COUNTERNARCOTICS EFFORTS GOING WOBBLY?"

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing entitled "Afghanistan: Are the British Counternarcotics Efforts Going Wobbly?" Testimony was heard from Robert Charles, Assistant Secretary, International Narcotics and Law Enforcement Affairs, Department of State.

MARIJUANA AND MEDICINE

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Marijuana and Medicine: The Need for a Science-Based Approach." Testimony was heard from

the following officials of the Department of Health and Human Services: Nora D. Volkow, Director, National Institute on Drug Abuse, NIH; and Robert J. Meyer, M.D., Director, Office of Drug Evaluation II, Center for Evaluation and Research, FDA; Patricia Good, Chief, Liaison and Policy Section, Office of Diversion Control, DEA, Department of Justice; and public witnesses.

AFRICA—FIGHTING TERRORISM

Committee on International Relations: Subcommittee on Africa held a hearing on Fighting Terrorism in Africa. Testimony was heard from Karl Wycoff, Associate Coordinator, Press, Policy and Plans, Office of the Coordinator for Counterterrorism, Department of State, and public witnesses.

AL-QAEDA—THREAT TO U.S. AND ALLIES

Committee on International Relations: Subcommittee on International Terrorism, Nonproliferation and Human Rights held a hearing on Al-Qaeda: The Threat to the United States and Its Allies. Testimony was heard from Ambassador-at-Large J. Cofer Black, Coordinator for Counterterrorism, Department of State.

IMMIGRATION AND NATIONALITY ACT—PRESCRIBE OATH OF RENUNCIATION AND ALLEGIANCE

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Claims held a hearing on H.R. 3191, to prescribe the oath of renunciation and allegiance for purposes of the Immigration and Nationality Act. Testimony was heard from Representative Ryun of Kansas; Alfonso Aguilar, Chief, Office of Citizenship, U.S. Citizenship and Immigration Services, Department of Homeland Security; and public witnesses.

LUMBEE RECOGNITION ACT

Committee on Resources: Held a hearing on H.R. 898, Lumbee Recognition Act. Testimony was heard from Representatives McIntyre and Burr; Michael Olsen, Counselor to the Assistant Secretary, Indian Affairs, Department of the Interior; and public witnesses.

GREEN CHEMISTRY RESEARCH AND DEVELOPMENT ACT OF 2004

Committee on Science: Ordered reported, as amended, H.R. 3970, Green Chemistry Research and Development Act of 2004.

LUNAR SCIENCE AND RESOURCES: FUTURE OPTIONS

Committee on Science: Subcommittee on Space held a hearing on Lunar Science and Resources: Future Options. Testimony was heard from public witnesses.

OVERSIGHT—AIRPORT DEREGULATION

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Airport Deregulation. Testimony was heard from Jeffrey N. Shane, Under Secretary, Policy, Department of Transportation; James E. Bennett, President and CEO, Metropolitan Washington Airports Authority; Bonnie Allin, President and CEO, Tucson Airport Authority, Tucson, Arizona; and public witnesses.

OVERSIGHT—REPORT VA'S VOCATIONAL REHABILITATION AND EMPLOYMENT SERVICE TASK FORCE

Committee on Veterans' Affairs: Subcommittee on Benefits held an oversight hearing to receive the report of the VA Vocational Rehabilitation and Employment Service Task Force. Testimony was heard from Dorcas R. Hardy, Chairman, Vocational Rehabilitation and Employment Service Task Force, Department of Veterans Affairs.

BOARD OF TRUSTEES 2004 ANNUAL REPORTS

Committee on Ways and Means: Continued hearings on the Board of Trustees 2004 Annual Reports. Testimony was heard from the following officials of the Centers for Medicare and Medicaid Services, Department of Health and Human Services: Leslie V. Norwalk, Acting Deputy Administrator; and Jeff Flick, San Francisco Regional Administrator.

MEDICARE DISCOUNT DRUG CARD

Committee on Ways and Means: Subcommittee on Health held a hearing on The Medicare Discount Drug Card. Testimony was heard from Representative Foley; Michael McMullan, Deputy Director, Center for Beneficiary Choices, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and public witnesses.

COUNTERNARCOTICS BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on the Counternarcotics Budget. Testimony was heard from departmental witnesses.

INTELLIGENCE COMMUNITY LANGUAGE CAPABILITIES

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy and National Security met in executive session to hold a hearing on Intelligence Community Language Capabilities. Testimony was heard from departmental witnesses.

Joint Meetings

PENSION FUNDING EQUITY ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 3108, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of

1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED EIGHTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 20 through March 31, 2004

	Senate	*House*	*Total*
Days in session	39	33	..
Time in session	299 hrs.	197 hrs., 47	..
Congressional Record:			
Pages of proceedings	3517	1791	..
Extensions of Remarks	..	500	..
Public bills enacted into law	6	7	13
Private bills enacted into law	..	..	..
Bills in conference	1	9	..
Measures passed, total	68	126	194
Senate bills	14	9	..
House bills	12	44	..
Senate joint resolutions	..	..	..
House joint resolutions	..	2	..
Senate concurrent resolutions	7	4	..
House concurrent resolutions	9	16	..
Simple resolutions	26	51	..
Measures reported, total	*34	*48	82
Senate bills	27	1	..
House bills	6	26	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	2	..
Simple resolutions	..	19	..
Special reports	..	1	..
Conference reports	..	..	..
Measures pending on calendar	181	85	..
Measures introduced, total	322	570	892
Bills	263	400	..
Joint resolutions	4	8	..
Concurrent resolutions	12	54	..
Simple resolutions	43	108	..
Quorum calls	..	1	..
Yea-and-nay votes	64	77	..
Recorded votes	..	26	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 32 reports have been filed in the Senate, a total of 49 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 20 through March 31, 2004

Civilian nominations, totaling 292 (including 195 nominations carried over from the First Session), disposed of as follows:	
Confirmed	42
Unconfirmed	242
Withdrawn	7
Returned to White House	1
Other Civilian nominations, totaling 1,027 (including 5 nominations carried over from the First Session), disposed of as follows:	
Confirmed	225
Unconfirmed	801
Withdrawn	1
Air Force nominations, totaling 7,794, (including 3,572 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,664
Unconfirmed	3,130
Army nominations, totaling 1,671, (including 594 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,439
Unconfirmed	232
Navy nominations, totaling 2,552, (including 2,444 nominations carried over from the First Session), disposed of as follows:	
Confirmed	2,498
Unconfirmed	54
Marine Corps nominations, totaling 1,160, (including 2 nominations carried over from the First Session), disposed of as follows:	
Confirmed	60
Unconfirmed	1,100

Summary

Total nominations carried over from the First Session	6,812
Total nominations received this Session	7,684
Total confirmed	8,928
Total unconfirmed	5,559
Total withdrawn	8
Total returned to the White House	1

Friday, April 2, 2004

Senate

Chamber Action

Routine Proceedings, pages 6312–36

Measures Introduced: Two resolutions were submitted, as follows: S. Res. 329–330. **Page 6318**

Measures Passed:

Ricin Claims Authorization: Senate agreed to S. Res. 329, authorizing the Sergeant at Arms and Doorkeeper of the Senate to ascertain and settle claims arising out of the discovery of lethal ricin powder in the Senate Complex. **Page 6323**

Standards Development Organization Advancement Act: Senate passed H.R. 1086, to encourage the development and promulgation of voluntary consensus standards by providing relief under the antitrust laws to standards development organizations with respect to conduct engaged in for the purpose of developing voluntary consensus standards, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 6323**

McConnell (for Hatch/Leahy) Amendment No. 3010, in the nature of a substitute. **Page 6333**

Pregnancy and Trauma Care Access Protection Act: Senate began consideration of the motion to proceed to consideration of S. 2207, to improve women's access to health care services, and the access of all individuals to emergency and trauma care services, by reducing the excessive burden the liability system places on the delivery of such services. **Page 6312**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur at 2:15 p.m., on Wednesday, April 7, 2004. **Pages 6312, 6323**

Subsequently, the motion to proceed was withdrawn. **Page 6312**

Additional Cosponsors: **Page 6318**

Statements on Introduced Bills/Resolutions: **Page 6318**

Additional Statements: **Page 6317**

Amendments Submitted: **Page 6320**

Authority for Committees to Meet: **Page 6323**

Adjournment: Senate convened at 9 a.m., and adjourned at 11:24 a.m., until 1 p.m., on Monday, April 5, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 6333.)

Committee Meetings

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded open and closed hearings to examine the proposed Defense Authorization Request for fiscal year 2005, focusing on the Department of Defense Counternarcotics Program, after receiving testimony from Thomas W. O'Connell, Assistant Secretary of Defense for Special Operations and Low Intensity Conflict; Rear Admiral Bruce W. Clingan, USN, Deputy Director of Operations, U.S. Central Command; and Brigadier General Benjamin R. Mixon, USA, Director for Operations, U.S. Southern Command.

House of Representatives

Chamber Action

Measures Introduced: 43 public bills, H.R. 4127–4169; and; 7 resolutions, H.J. Res. 92; H. Con. Res. 404–406, and H. Res. 595–597 were introduced. **Page 6426**

Additional Cosponsors: **Page 6429**

Reports Filed: Reports were filed today as follows:

H.R. 27, to amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan, amended (H. Rept. 108–458);

H.R. 3818, to amend the Foreign Assistance Act of 1961 to improve the results and accountability of microenterprise development assistance programs, amended (H. Rept. 108–459);

H.R. 3266, to authorize the Secretary of Homeland Security to make grants to first responders, and for other purposes, amended (H. Rept. 108–460, Pt. 1); and

H.R. 3866, to amend the Controlled Substances Act to provide increased penalties for anabolic steroid offenses near sports facilities, and for other purposes, amended (H. Rept. 108–461, Pt. 1). **Page 6426**

Speaker: Read a letter from the Speaker wherein he appointed Representative Nethercutt to act as Speaker Pro Tempore for today. **Page 6337**

Transportation Equity Act—A Legacy for Users: The House passed H.R. 3550, to authorize funds for Federal-aid highways, highway safety programs, and transit programs by a yea-and-nay vote of 357 yeas to 65 nays, Roll No. 114. The bill was also considered on Thursday, April 1. **Page 6338**

The amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, modified by the

amendments printed in part A of H. Rept. 108–456 was considered as adopted and the bill as amended was considered as the original bill for the purpose of further amendment. **Page 6355**

Point of order sustained against the Davis of Tennessee motion to recommit the bill to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with amendments. **Page 6355**

Rejected a second motion offered by Representative Davis of Tennessee to recommit the bill to the Committee on Transportation and Infrastructure with instructions to report the same back to the House promptly with amendments, by a recorded vote of 198 ayes to 225 noes, Roll No. 113. **Page 6395**

Agreed to:

Petri amendment (considered under a unanimous consent agreement) that makes technical changes to sections 3037(c) and 3038; and **Page 6337**

Kennedy of Minnesota amendment No. 22 printed in H. Rept. 108–456 that repeals the authority to indefinitely charge tolls on existing highway lanes, replacing it with language that allows tolls only on new voluntary-use lanes, with revenues dedicated to new highway capacity (agreed to by a recorded vote of 231 ayes to 193 noes; Roll No. 111). **Pages 6338, 6354**

Rejected:

Bradley amendment No. 20 printed in H. Rept. 108–456, that was debated on Thursday, April 1, that sought to increase the allowable weight of vehicles permitted to travel on interstate highways 93 and 89, in New Hampshire, from 80,000 to 99,000 pounds and instructs the New Hampshire Department of Transportation to conduct a study to discern the economic, safety and infrastructure impact to the exemption (rejected by a recorded vote of 90 ayes to 334 noes, Roll No. 110); and **Page 6353**

Isakson amendment No. 23 printed in H. Rept. 108–456 that sought to include high priority projects and projects of national regional significance under the Minimum Guarantee, consistent with current law (rejected by a recorded vote of 170 ayes to 254 noes, Roll No. 112). **Pages 6342, 6354**

Agreed that the Clerk of the House be authorized to make technical and conforming changes to the bill. **Page 6396**

General debate on the bill proceeded according to a unanimous consent agreement reached on Tuesday, March 30 and it was agreed today that the period of further general debate contemplated in the previous order of the House be in order before the conclusion of the consideration of the bill for amendment. **Page 6348**

Further consideration of the bill proceeded according to H. Res. 593 which was agreed to on Thursday, April 1. **Page 6349**

Pension Funding Equity Act of 2003: The House agreed to the conference report to accompany H.R. 3108, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions, by a recorded vote of 336 ayes to 69 noes, Roll No. 117. **Page 6397**

Rejected the Andrews motion to recommit the conference report to the committee of conference with instructions by a yea-and-nay vote of 195 yeas to 217 nays, Roll No. 116. **Page 6405**

Spring District Work Period: The House agreed to H. Con. Res. 404, providing for a conditional adjournment of the House and a conditional recess or adjournment of the Senate, by a recorded vote of 211 ayes to 201 noes, Roll No. 115. **Page 6396**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 4 p.m. on Tuesday, April 6, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 404, in which case the House shall stand adjourned pursuant to that concurrent resolution. **Page 6407**

Late Report: Agreed that the Committee on the Judiciary have until midnight on Friday, April 2 to file a report on H.R. 3866. **Page 6407**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Wolf or, if not available to perform this duty, Representative Tom Davis to act as Speaker pro tempore to sign enrolled bills and joint resolutions through April 20, 2004. **Page 6407**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, April 7. **Page 6407**

Senate Messages: Messages received from the Senate today appear on pages 6337 and 6407.

Senate Referral: S.J. Res. 28 was referred to the Committee on Armed Services. **Page 6424**

Quorum Calls—Votes: Two yea-and-nay votes and six recorded votes developed during the proceedings today and appear on pages 6353–55, 6395–97, and 6405–07. There were no quorum calls.

Adjournment: The House met at 9 a.m. and at 4:11 p.m., pursuant to the provisions of H. Con. Res. 404, the House stands adjourned until 4 p.m. on Tuesday, April 6, unless it sooner receives a message from the Senate transmitting its concurrence in H. Con. Res. 404, in which case the House shall stand adjourned until 2 p.m. on Tuesday, April 20.

Committee Meetings

SAFE DRINKING WATER ACT AMENDMENTS—REAUTHORIZE NEW YORK CITY WATERSHED PROTECTION PROGRAM

Committee on Energy and Commerce: Subcommittee on Environment and Hazardous Materials approved for full Committee action H.R. 2771, to amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program.

Prior to this action, the Subcommittee held a hearing on this measure. Testimony was heard from Representatives Towns and Kelly; Walter E. Mugdan, Director, Division of Environmental Planning and Protection, Region 2, EPA; Erin M. Crotty, Commissioner, Department of Environmental Conservation, State of New York; and a public witness.

SPECIAL PROGRAMS BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Special Programs Budget. Testimony was heard from departmental witnesses.

Joint Meetings

EMPLOYMENT SITUATION

Joint Economic Committee: Committee concluded hearings to examine the employment-unemployment situation for March 2004, focusing on economic growth, business activity in the manufacturing and service industries, the Gross Domestic Product (GDP), job creation and loss, after receiving testimony from Kathleen P. Utgoff, Commissioner, Bureau of Labor Statistics, Department of Labor.

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Monday, April 5, 2004

Senate

Chamber Action

Routine Proceedings, pages 6466–6579

Measures Introduced: Four bills and one resolution were introduced, as follows: S. 2280–2283, and S. Res. 331. **Page 6474**

Measures Reported: S. 2056, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language, with amendments. (S. Rept. No. 108–253) **Page 6474**

Measures Passed:

Adjournment Resolution: Senate agreed to H. Con. Res. 404, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page 6466**

Jumpstart Our Business Strength (JOBS) Act: Senate resumed consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, taking action on the following amendments proposed thereto: **Page 6470**

Pending:

Harkin Amendment No. 2881, to amend the Fair Labor Standards Act of 1938 to clarify provisions relating to overtime pay. **Page 6471**

Frist Motion to Recommit the bill to the Committee on Finance, with instructions to report back forthwith with the following amendment: **Page 6471**

Frist Amendment No. 3011 (to the instructions of the Motion to Recommit the bill to the Committee on Finance), in the nature of a substitute. **Page 6471**

Frist Amendment No. 3012 (to the instructions (Amendment No. 3011) of the Motion to Recommit the bill to the Committee on Finance), relative to the effective date following enactment of the Act. **Page 6471**

Frist Amendment No. 3013 (to Amendment No. 3012), relative to the effective date following enactment of the Act. **Page 6471**

Withdrawn:

McConnell Motion to Recommit the bill to the Committee on Finance, with instructions. **Page 6471**

Subsequently, the following amendments and motion fell when the McConnell Motion to Recommit, with instructions (listed above) was withdrawn: **Page 6471**

McConnell (for Frist) Amendment No. 2886, in the nature of a substitute. **Page 6471**

Grassley Amendment No. 2898 (to the instructions (Amendment No. 2886) of the motion to recommit (listed above)), relative to the effective date following enactment of the Act. **Page 6471**

Grassley Amendment No. 2926 (to Amendment No. 2898), relative to the effective date following enactment of the Act. **Page 6471**

Frist motion to reconsider the vote by which the motion to invoke cloture on McConnell Motion to Recommit the bill to the Committee on Finance failed. **Page 6471**

A motion was entered to close further debate on the Frist Motion to Recommit the bill, with instructions (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, April 7, 2004. **Page 6471**

Pregnancy and Trauma Care Access Protection Act—Agreement: A unanimous-consent agreement was reached providing that at 11 a.m., on Tuesday, April 6, 2004, Senate resume consideration of the motion to proceed to consideration of S. 2207, to improve women's access to health care services, and the access of all individuals to emergency and trauma care services, by reducing the excessive burden the liability system places on the delivery of such services. **Page 6576**

Appointments:

Commission on Systemic Interoperability: The Chair, on behalf of the Democratic Leader, pursuant to Public Law 108–173, appointed the following individual to serve as a member of the Commission on Systemic Interoperability: Fredrick W. Slunecka of South Dakota. **Page 6576**

American Folklife Center of the Library of Congress: The Chair, on behalf of the President pro tempore, pursuant to Public Law 94–201, as amended by Public Law 105–275, appointed the following individuals as members of the Board of Trustees of the American Folklife Center of the Library of Congress: Mickey Hart of California and Dennis Holub of South Dakota. **Page 6576**

Messages From the House: **Page 6474**

Additional Cosponsors: **Page 6474**

Statements on Introduced Bills/Resolutions: **Page 6475**

Additional Statements: **Page 6471**

Amendments Submitted: **Page 6476**

Adjournment: Senate convened at 1 p.m., and adjourned at 4:04 p.m., until 10 a.m., on Tuesday, April 6, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 6576.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to the provisions of H. Con. Res. 361, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, it stands adjourned until 2 p.m. on Tuesday, April 20, 2004.

Committee Meetings

No committee meetings were held.

Tuesday, April 6, 2004

Senate

Chamber Action

Routine Proceedings, pages 6582–6717

Measures Introduced: Six bills and one resolution were introduced, as follows: S. 2284–2289, and S. Res. 332. **Page 6637**

Pregnancy and Trauma Care Access Protection Act: Senate resumed consideration of the motion to proceed to consideration of S. 2207, to improve women's access to health care services, and the access of all individuals to emergency and trauma care services, by reducing the excessive burden the liability system places on the delivery of such services. **Page 6589**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at 10:45 a.m., on Wednesday, April 7, 2004, with a vote on the motion to invoke cloture thereon, to occur at 2:15 p.m. **Page 6710**

Jumpstart Our Business Strength (JOBS) Act—Agreement: A unanimous-consent agreement was reached providing for further consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, on Wednesday, April 7, 2004, immediately following and not withstanding the result of the vote on the motion to invoke cloture on the motion to proceed to S. 2207 (listed above). **Page 6710**

Appointments:

HELP Around the Globe Commission: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108–199, Title VI, Section 637, appointed the following individual to serve as a member of the Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission: Steve K. Berry of Washington, D.C. **Page 6710**

Nominations Received: Senate received the following nominations:

Michael H. Watson, of Ohio, to be United States District Judge for the Southern District of Ohio.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Page 6710**

Executive Communications: **Page 6635**

Additional Cosponsors: **Page 6637**

Statements on Introduced Bills/Resolutions: **Page 6638**

Additional Statements: Page 6634
Amendments Submitted: Page 6642
Notices of Hearings/Meetings: Page 6709
Authority for Committees to Meet: Page 6710
Privilege of the Floor: Page 6710

Adjournment: Senate convened at 10:01 a..m., and adjourned at 6:29 p.m., until 9:45 a.m., on Wednesday, April 7, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 6710.)

Committee Meetings

APPROPRIATIONS: DEPARTMENT OF VETERANS AFFAIRS

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of Veterans Affairs, after receiving testimony from Anthony Principi, Secretary of Veterans Affairs.

CHRONIC WASTING DISEASE

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife and Water concluded a hearing to examine S. 1366, to authorize the Secretary of the Interior to make grants to State and tribal governments to assist State and tribal efforts to manage and control the spread of chronic wasting disease in deer and elk herds, after receiving testimony from John Clifford, Associate Deputy Administrator for National Animal Health Policy and Programs, Veterinary Services, Animal and Plant Health Inspection Services, Department of Agriculture; Charles G. Groat, Director, U.S. Geological Survey, Department of the Interior; Russell George, Colorado Department of Natural Resources, Denver; Gary J. Taylor, International Association of Fish and Wildlife Agencies, Washington, D.C.; Jack Walther, Elko, Nevada, on behalf of the American Veterinary Medical Association; and Gary J. Wolfe, Chronic Wasting Disease Alliance, Missoula, Montana.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to the provisions of H. Con. Res. 361, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, it stands adjourned until 2 p.m. on Tuesday, April 20, 2004.

Committee Meetings

No committee meetings were held.

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Wednesday, April 7, 2004

Senate

Chamber Action

Routine Proceedings, pages 6718–6810

Measures Introduced: Thirteen bills and three resolutions were introduced, as follows: S. 2290–2302, S.J. Res. 31–32, and S. Res. 333. Page 6770

Measures Passed:

American Revolution Commemoration Act Anniversary: Committee on the Judiciary was discharged from further consideration of S. 1108, to establish within the National Park Service the 225th Anniversary of the American Revolution Commemorative Program, and the bill was then passed. Page 6802

Commending UConn Basketball Teams: Senate agreed to S. Res. 333, commending the Huskies of the University of Connecticut for winning the 2004 Division I Men's and Women's NCAA Basketball Championships. Page 6803

Pregnancy and Trauma Care Access Protection Act: Senate continued consideration of the motion to proceed to consideration of S. 2207, to improve women's access to health care services, and the access of all individuals to emergency and trauma care services, by reducing the excessive burden the liability system places on the delivery of such services. Pages 6726, 6743

During consideration of this measure today, Senate also took the following action:

By 49 yeas to 48 nays (Vote No. 66), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the consideration of the motion to proceed to consideration of the bill. Page 6744

Subsequently, the motion to proceed was withdrawn. Page 6744

Jumpstart Our Business Strength (JOBS) Act: Senate resumed consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, taking action on the following amendments proposed thereto: Page 6744

Pending:

Harkin Amendment No. 2881, to amend the Fair Labor Standards Act of 1938 to clarify provisions relating to overtime pay.

Frist Motion to Recommit the bill to the Committee on Finance, with instructions to report back forthwith with the following amendment:

Frist Amendment No. 3011 (to the instructions of the Motion to Recommit the bill to the Committee on Finance), in the nature of a substitute.

Frist Amendment No. 3012 (to the instructions (Amendment No. 3011) of the Motion to Recommit the bill to the Committee on Finance), relative to the effective date following enactment of the Act.

Frist Amendment No. 3013 (to Amendment No. 3012), relative to the effective date following enactment of the Act.

During consideration of this measure today, Senate also took the following action:

By 50 yeas to 47 nays (Vote No. 67), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the Frist Motion to Recommit the bill to the Committee on Finance, with instructions. **Page 6744**

Senate may resume consideration of the bill on Thursday, April 8, 2004.

Pension Funding Equity Act of Conference Report—Agreement: A unanimous-consent agreement was reached providing for consideration of the conference report to accompany H.R. 3108, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions, at 11 a.m. on Thursday, April 8, 2004; that there be four hours for debate, followed by a vote on adoption of the conference report. **Page 6809**

Appointments: (Received on Monday, April 5, 2004)

Commission on Systemic Interoperability: The Chair, on behalf of the Democratic Leader, pursuant to Public Law 108–173, appointed the following individual to serve as a member of the Commission on Systemic Interoperability: Fredrick W. Slunecka of South Dakota. **Page 6576**

Measures Read First Time: **Page 6769**

Petitions and Memorials: **Page 6769**

Executive Reports of Committees: **Page 6770**

Additional Cosponsors: **Page 6770**

Statements on Introduced Bills/Resolutions: **Page 6772**

Additional Statements: **Page 6767**

Amendments Submitted: **Page 6797**

Authority for Committees to Meet: **Page 6801**

Privilege of the Floor: **Page 6802**

Record Votes: Two record votes were taken today. (Total—67) **Page 6744**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 8:08 p.m., until 10 a.m., on Thursday, April 8, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages 6804.)

Committee Meetings

APPROPRIATIONS: NATIONAL GUARD AND RESERVE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the National Guard and Reserve, after receiving testimony from Lieutenant General H. Steven Blum, ARNG, Chief, National Guard Bureau; Lieutenant General Roger C. Schultz, ARNG, Director, Army National Guard; Lieutenant General Daniel James III, ANG, Director, Air National Guard; Lieutenant General James R. Helmly, USAR, Chief, Army Reserve; Vice Admiral John G. Cotton, USNR, Chief, Naval Reserve; Lieutenant General Dennis M. McCarthy, USMCR, Commander, Marine Forces Reserve; and Lieutenant General James E. Sherrard III, USAFR, Chief, Air Force Reserve.

APPROPRIATIONS: IRS

Committee on Appropriations: Subcommittee on Transportation, Treasury and General Government concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Internal Revenue Service (IRS), focusing on tax law enforcement and information technology challenges, after receiving testimony from Mark W. Everson, Commissioner, Internal Revenue Service, and Pamela J. Gardiner, Acting Inspector General for Tax Administration, both of the Department of the Treasury.

APPROPRIATIONS: ARMY/NAVY MILITARY CONSTRUCTION

Committee on Appropriations: Subcommittee on Military Construction concluded a hearing to examine proposed budget estimates for fiscal year 2005 for Army and Navy military construction programs, after receiving testimony from Geoffrey G. Prosch, Acting Assistant Secretary of the Army (Installations and Environment); Major General Larry J. Lust, Assistant Chief of Staff for Installation Management, Department of the Army; Major General Walter F. Pudlowski, Jr., Special Assistant to the Director, Army National Guard; Brigadier General Gary M. Profit, Deputy Chief, Army Reserve; Hansford T. Johnson, Assistant Secretary of the Navy (Installations and Environment); Rear Admiral Michael Loose, Commander, Naval Facilities Engineering Command; and Brigadier General Willie Williams, Assistant Deputy Commandant for Installations and Logistics (Facilities), U.S. Marine Corps.

APPROPRIATIONS: DEPARTMENT OF AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for certain Department of Agriculture programs, after receiving testimony from Keith Collins, Chief Economist, J.B. Penn, Under Secretary for Farm and Foreign Agriculture Services, Mark E. Rey, Under Secretary for Natural Resources and Environment, Joseph Jen, Under Secretary for Research, Education, and Economics, and Gilbert G. Gonzalez, Acting Under Secretary for Rural Development, all of the Department of Agriculture.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Strategic Forces concluded open and closed hearings to examine the proposed Defense Authorization Request for fiscal year 2005, focusing on defense intelligence programs and lessons learned in recent military operations, after receiving testimony from Stephen A. Cambone, Under Secretary of Defense for Intelligence, Lieutenant General Keith B. Alexander, USA, Deputy Chief of Staff, G–2, Department of the Army; Rear Admiral Richard B. Porterfield, USN, Director of Naval Intelligence, Headquarters, U.S. Navy; Major General Ronald F. Sams, USAF, Director of Intelligence, Surveillance and Reconnaissance, Department of the Air Force; Michael H. Decker, Acting Director for Intelligence, Headquarters, U.S. Marine Corps; and Brigadier General Donald C. Wurster, USAF, Director for Intelligence and Information Operations, U.S. Special Operations Command.

NATIONAL BANK PREEMPTION RULES

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the National Bank Preemption Rules, focusing on Office of the Comptroller of the Currency rulemakings pertaining to the applicability of State laws to national banks, after receiving testimony from John D. Hawke, Jr., Comptroller of the Currency, Administrator of National Bank, Department of the Treasury; North Carolina Attorney General Roy Cooper, Raleigh; Gavin M. Gee, Idaho Department of Finance, Boise, on behalf of the Conference of State Bank Supervisors; Martin Eakes, Self-Help and Center for Responsible Lending, Durham, North Carolina; Joe Belew, Consumer Bankers Association, Arlington, Virginia; William M. Isaac, Secura Group, Falls Church, Virginia; and Walter T. McDonald, National Association of Realtors, Arthur E. Wilmarth, Jr., George Washington University Law Center, and James D. McLaughlin, American Bankers Association, all of Washington, D.C.

NEAR EARTH OBJECTS

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space concluded a hearing to examine the nature and origin of Near Earth Objects (asteroids and periodic comets), including the potential hazard they may pose, after receiving testimony from G.W. Van Citters, Director, Division of Astronomical Sciences, National Science Foundation; Lindley N. Johnson, Program Scientist, Near Earth Object Observation Program, Office of Space Science, National Aeronautics and Space Administration; Grant H. Stokes, Near-Earth Object Science Definition Team, Massachusetts Institute of Technology Lincoln Laboratory, Lexington; Michael D. Griffin, Johns Hopkins University Applied Physics Laboratory, Laurel, Maryland; and Rusty Schweickart and Edward Lu, both of B612 Foundation, Tiburon, California.

COAST GUARD OVERSIGHT

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Fisheries and Coast Guard concluded an oversight hearing to examine U.S. Coast Guard activities, readiness, mission balance, and the proposed budget request for fiscal year 2005, after receiving testimony from Admiral Thomas H. Collins, Commandant, U.S. Coast Guard, Department of Homeland Security; and Margaret T. Wrightson, Director, Homeland Security and Justice Issues, General Accounting Office.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following business items:

S. 1814, to transfer federal lands between the Secretary of Agriculture and the Secretary of the Interior;

S. 441, to direct the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouse in that county, with an amendment in the nature of a substitute;

S. 2286, to designate the Orville Wright Federal Building and the Wilbur Wright Federal Building in Washington, District of Columbia; and

The nominations of Stephen L. Johnson, of Maryland, to be Deputy Administrator, Ann R. Klee, of Virginia, and Benjamin Grumbles, of Virginia, each to be an Assistant Administrator of the Environmental Protection Agency, Charles Johnson, of Utah, to be Chief Financial Officer, all of the Environmental Protection Agency, and Gary Lee Visscher, of Maryland, to be a Member of the Chemical Safety and Hazard Investigation Board.

DISTRICT OF COLUMBIA DRINKING WATER

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife and Water concluded an oversight hearing to examine the detection of lead in District of Columbia drinking water, focusing on needed improvements in public communications and the status of short- and long-term solutions, after receiving testimony from Benjamin H. Grumbles, Acting Assistant Administrator for Water, and Donald S. Welsh, Administrator, Region III, both of the Environmental Protection Agency; Thom-

as P. Jacobus, General Manager, Washington Aqueduct, Baltimore District, U.S. Army Corps of Engineers; Jerry N. Johnson, District of Columbia Water and Sewer Authority, Daniel R. Lucey, District of Columbia Department of Health, Gloria Borland, Dupont Circle Parents, and Dana Best, Children's National Medical Center, all of Washington, D.C.; and Jody Lanard, Princeton, New Jersey.

MEDICAID HOME AND COMMUNITY SERVICES

Committee on Finance: Committee concluded a hearing to examine strategies to improve access to Medicaid home and community based services, focusing on giving older Americans and people with disabilities greater choices by expanding access to community based services, including the President's New Freedom Initiative and related measures S. 971 and S. 1394, after receiving testimony from Senator Harkin; Dennis Smith, Director of the Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Carol Novak, Member, National Council on Disability; Ray Gerke, Iowa Olmstead Real Choices Consumer Task Force, Perry; Bruce E. Darling, Center for Disability Rights, Rochester, New York, on behalf of the ADAPT Community; Di Findley, Iowa CareGivers Association, Des Moines; and Jan Moss, Oklahoma City, Oklahoma.

OIL-FOR-FOOD PROGRAM

Committee on Foreign Relations: Committee concluded a hearing to examine the United Nations oil-for-food program to address the humanitarian needs of the people of Iraq, focusing on recent allegations of possible mismanagement and abuse with regard to the implementation of the program, after receiving testimony from John D. Negroponte and Patrick F. Kennedy, each a United States Representative to the United Nations, United States Mission to the United Nations, New York, New York; Robin L. Raphel, Iraq Reconstruction Coordinator, Department of State; Joseph A. Christoff, Director, International Affairs and Trade, General Accounting Office; and Michael J. Thibault, Deputy Director, Defense Contract Audit Agency, Department of Defense.

HIV/AIDS IN AFRICA

Committee on Foreign Relations: Subcommittee on African Affairs concluded a hearing to examine a progress report on fighting HIV/AIDS in Africa, focusing on funding for international health care initiatives HIV counseling and testing, and antiretroviral therapy, after receiving testimony from Randall L. Tobias, U.S. Global AIDS Coordinator, Department of State; Jonathan H. Mermin, Public Health Epidemiologist, Country Director for GAP Uganda, Centers for Disease Control and Prevention, Department of Health and Human Services; Ernest Darkoh, African Comprehensive HIV/AIDS Partnerships, Gabarone, Botswana; and Lulu Oguda, Doctors Without Borders, Cambridge, Massachusetts.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Marc McGowan Wall, of Virginia, to be Ambassador to Chad, John Campbell, of Virginia, to be Ambassador to Nigeria, and Scott H. DeLisi, of Minnesota, to be Ambassador to Eritrea, after each nominee testified and answered questions in their own behalf.

POSTAL REFORM

Committee on Governmental Affairs: Committee continued hearings to examine U.S. Postal Service reform issues, focusing on the chairmen's perspective on governance and rate-setting, including the ability of a modern system of ratemaking to provide adequate public protection while affording management the flexibility to easily and quickly adjust rates as circumstances and customers needs require, after receiving testimony from George Omas, Chairman, United States Postal Rate Commission; and S. David Fineman, Chairman, United States Postal Service Board of Governors.

FEDERAL PRISON INDUSTRIES

Committee on Governmental Affairs: Subcommittee on Financial Management, the Budget, and International Security concluded a hearing to examine S. 346, to amend the Office of Federal Procurement Policy Act to establish a governmentwide policy requiring competition in certain executive agency procurements, after receiving testimony from Senators Thomas and Stabenow; Harley G. Lappin, Director, Federal Bureau of Prisons, and Chief Executive Officer, Federal Prison Industries, Department of Justice; Jack R. Williams, Jr., Assistant Regional Administrator, Federal Supply Service (Region 3), General Services Administration; John M. Palatiello, Management Association for Private Photogrammetric Surveyors, Reston, Virginia, on behalf of the U.S. Chamber of Commerce; Kurt Weiss, U.S. Business Interiors, Alexandria, Virginia, on behalf of the Office Furniture Dealers Alliance; Andrew S. Linder, Power Connector, Inc., Long Island, New York; and Philip W. Glover, Council of Prison Locals, American Federation of Government Employees (AFL–CIO), Washington, D.C.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported S. 1955, to make technical corrections to laws relating to Native Americans, with an amendment in the nature of a substitute.

NINTH CIRCUIT

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts concluded a hearing to examine a proposal to split the Ninth Circuit, focusing on

the administrative aspects of a split, with reference to the most recent restructuring of a federal judicial circuit, including related measures S. 562 and S. 2278, after receiving testimony from Senator Murkowski; Diarmuid F. O'Scannlain, Mary M. Schroeder, Richard C. Tallman, and J. Clifford Wallace, each a Circuit Judge for the U.S. Court of Appeals for the Ninth Circuit; Gerald B. Tjoflat, Circuit Judge for the U.S. Court of Appeals for the Eleventh Circuit; and John C. Coughenour, Chief District Judge for the U.S. District Court for the Western District of Washington.

GASOLINE PRICES

Committee on the Judiciary: Subcommittee on Antitrust, Competition Policy and Consumer Rights concluded a hearing to examine crude oil relating to higher gas prices, focusing on merger enforcement in the oil and gasoline industries, gasoline monitoring and investigation initiative, the effects of market concentration on gasoline prices, and "boutique fuels", after receiving testimony from Senator Wyden; William E. Kovacic, General Counsel, Federal Trade Commission; John Felmy, American Petroleum Institute, and Mark Cooper, Consumer Federation of America, on behalf of Consumers Union, both of Washington, D.C.; Justine S. Hastings, Yale University Department of Economics, New Haven, Connecticut; and George A. Bermann, Columbia University School of Law, New York, New York.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to the provisions of H. Con. Res. 361, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, it stands adjourned until 2 p.m. on Tuesday, April 20, 2004.

Committee Meetings

No committee meetings were held.

Thursday, April 8, 2004

Senate

Chamber Action

Routine Proceedings, pages 6812–6931

Measures Introduced: Sixteen bills and seven resolutions were introduced, as follows: S. 2303–2318, S. Res. 334–339, and S. Con. Res. 99. **Page 6879**

Measures Passed:

Major League Baseball Drug Testing Policy: Senate agreed to S. Res. 335, expressing the sense of the Senate that Major League Baseball clubs and their players should take immediate action to adopt a drug-testing policy that effectively deters Major League Baseball players from using anabolic steroids and any other performance-enhancing substances that create a competitive advantage for, and pose a serious health risk to, such players and the children and teenagers who emulate them.

Pages 6851, 6910

National Cystic Fibrosis Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Res. 298, designating May 2004 as "National Cystic Fibrosis Awareness Month", and the resolution was then agreed to. **Page 6916**

Human Rights Violations: Committee on Foreign Relations was discharged from further consideration of S. Res. 328, expressing the sense of the Senate regarding the continued human rights violations committed by Fidel Castro and the Government of Cuba, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page 6917**

Frist (for Nelson (FL)), Amendment No. 3044, to make a technical correction. **Page 6917**

Paralyzed Veterans Appreciation: Senate agreed to S. Res. 337, expressing the appreciation of the Senate for the Paralyzed Veterans of America. **Pages 6911, 6918**

Federal Workforce Flexibility Act: Senate passed S. 129, to provide for reform relating to Federal employment, after agreeing to the committee amendment in the nature of a substitute, after agreeing to the following amendment proposed thereto: **Page 6918**

Frist (for Voinovich) Amendment No. 3045, to make a technical correction. **Page 6925**

Kosovo: Committee on Foreign Relations was discharged from further consideration of S. Res. 326, condemning ethnic violence in Kosovo, and the resolution was then agreed to. **Page 6927**

National Youth Service Day: Senate agreed to S. Res. 338, calling on the President to designate April 16, 2004, as National Youth Service Day. **Pages 6911, 6928**

Pension Funding Equity Act Conference Report: By 78 yeas to 19 nays (Vote No. 68), Senate agreed to the conference report to accompany H.R. 3108, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions, clearing the measure for the President. **Page 6821**

Jumpstart Our Business Strength (JOBS) Act: Senate continued consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, taking action on the following amendments proposed thereto:

Adopted:

Frist Motion to Recommit the bill to the Committee on Finance, with instructions to report back forthwith with the following amendment:

Frist Amendment No. 3011 (to the instructions of the Motion to Recommit the bill to the Committee on Finance), in the nature of a substitute (considered as original text for the purpose of further amendment).

Withdrawn:

Frist Amendment No. 3012 (to the instructions (Amendment No. 3011) of the Motion to Recommit the bill to the Committee on Finance), relative to the effective date following enactment of the Act.

During consideration of this measure today, Senate also took the following action:

Frist Amendment No. 3013 (to Amendment No. 3012), relative to the effective date following enactment of the Act, fell when Frist Amendment No. 3012 (listed above), was withdrawn.

Harkin Amendment No. 2881, to amend the Fair Labor Standards Act of 1938 to clarify provisions relating to overtime pay, fell when the Frist Motion to Recommit the bill to the Committee on Finance, with instructions (listed above), was agreed to.

A unanimous-consent agreement was reached providing that when the Senate returns to the bill, Senator Harkin, or his designee, be recognized to offer his amendment relating to overtime; that it be in order for certain first-degree amendments be proposed thereto; and that following the disposition of the amendments, the bill be read a third time, and the Senate proceed to a vote on passage of the bill.

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, be authorized to sign duly enrolled bills or joint resolutions. **Page 6928**

Authority for Committees—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, all committees were authorized to file legislative and executive reports during the adjournment of the Senate on Thursday, April 15, 2004, from 10 a.m. until 12 noon. **Page 6928**

Appointment Authority—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the recess or adjournment of the Senate, the President of the Senate, the President of the Senate pro tempore, and the Majority and Democratic Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page 6928**

Nominations Confirmed: Senate confirmed the following nominations:

Donald Korb, of Ohio, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

Brian Carlton Roseboro, of New Jersey, to be an Under Secretary of the Treasury.

Rhonda Keenum, of Mississippi, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Services. **Pages 6916, 6931**

Nominations Received: Senate received the following nominations:

Benjamin H. Wu, of Maryland, to be Assistant Secretary of Commerce for Technology Policy.

Jon D. Leibowitz, of Maryland, to be a Federal Trade Commissioner for a term of seven years from September 26, 2003.

Suedeen G. Kelly, of New Mexico, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2009. (Reappointment)

Stuart Levey, of Maryland, to be Under Secretary of the Treasury for Enforcement.

Patrick P. O'Carroll, Jr., of Maryland, to be Inspector General, Social Security Administration.

Jeffrey D. Feltman, of Ohio, to be Ambassador to the Republic of Lebanon.

Patricia M. Haslach, of Oregon, to be Ambassador to the Lao People's Democratic Republic.

Richard LeBaron, of Virginia, to be Ambassador to the State of Kuwait.

Victor Henderson Ashe, of Tennessee, to be Ambassador to the Republic of Poland.

James B. Cunningham, of Pennsylvania, to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador.

James B. Cunningham, of Pennsylvania, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador.

Barbara J. Sapin, of Maryland, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2007.

Allen Weinstein, of Maryland, to be Archivist of the United States.

Raquel Egusquiza, of Michigan, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring October 13, 2005.

Julia L. Wu, of California, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring February 4, 2008.

David M. Stone, of Virginia, to be an Assistant Secretary of Homeland Security. (New Position)

1 Air Force nomination in the rank of general.

Routine lists in the Air Force, Army, Foreign Service, Public Health Service. **Page 6929**

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

James G. Roche, of Maryland, to be Secretary of the Army, which was sent to the Senate on July 7, 2003. **Page 6931**

Messages From the House: **Page 6876**

Measures Placed on Calendar: **Page 6876**

Executive Communications: **Page 6876**

Petitions and Memorials: **Page 6876**

Executive Reports of Committees: **Page 6878**

Additional Cosponsors: **Page 6879**

Statements on Introduced Bills/Resolutions: **Page 6881**

Additional Statements: **Page 6871**

Amendments Submitted: **Page 6914**

Authority for Committees to Meet: **Page 6915**

Privilege of the Floor: **Page 6915**

Record Votes: One record vote was taken today. (Total—68) **Page 6850**

Adjournment: Senate met at 10:01 a.m., and, in accordance with the provisions of H. Con. Res. 404, adjourned at 6:52 p.m., until 1 p.m, on Monday, April 19, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 6929.)

Committee Meetings

APPROPRIATIONS: CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Corporation for National and Community Service, after receiving testimony from David Eisner, Chief Executive Officer, Corporation for National and Community Service.

APPROPRIATIONS: LEGISLATIVE

Committee on Appropriations: Subcommittee on Legislative Branch concluded hearings to examine proposed budget estimates for fiscal year 2005 for the Offices of the Secretary of the Senate and the Architect of the Capitol, after receiving testimony from Emily J. Reynolds, Secretary of the Senate; and Alan M. Hantman, Architect of the Capitol.

APPROPRIATIONS: DEPARTMENT OF STATE

Committee on Appropriations: Subcommittee on Foreign Operations concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of State, focusing on foreign operations, after receiving testimony from Colin Powell, Secretary of State.

CONVENTION ON THE LAW OF THE SEA

Committee on Armed Services: Committee concluded closed and open hearings to examine military implications of the United Nations Convention on the Law of the Sea, after receiving testimony from Admiral Vernon E. Clark, USN, Chief of Naval Operations; William H. Taft IV, Legal Advisor, Department of State; Jeane J. Kirkpatrick, American Enterprise Institute, Washington, D.C., former U.S. Ambassador to the United Nations; J. William Middendorf II, Little Compton, Rhode Island, former Secretary of the Navy; John Norton Moore, University of Virginia School of Law, Charlottesville; and Rear Admiral William L. Schachte, Jr., JAGC, USN (Ret.), Charleston, South Carolina.

MUTUAL FUND INDUSTRY

Committee on Banking, Housing, and Urban Affairs: Committee continued hearings to examine current investigations and regulatory actions regarding the mutual fund industry, focusing on investor protection issues, including late trading, market timing and selective disclosure abuses, after receiving testimony from William H. Donaldson, Chairman, U.S. Securities and Exchange Commission.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 2273, to provide increased rail transportation security, with amendments;

S. 2279, to amend title 46, United States Code, with respect to maritime transportation security, with an amendment in the nature of a substitute; and

The nominations of Louis S. Thompson, of Maryland, to be a Member of the Reform Board (Amtrak), Kirk Van Tine, of Virginia, to be Deputy Secretary of Transportation, Theodore William Kassinger, of Maryland, to be

Deputy Secretary of Commerce, Deborah Hersman, of Virginia, to be a Member of the National Transportation Safety Board, Thomas Hill Moore, of Florida, to be a Commissioner of the Consumer Product Safety Commission, A. Paul Anderson, of Florida, and Joseph E. Brennan, of Maine, each to be a Federal Maritime Commissioner, Jack Edwin McGregor, of Connecticut, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation, Terry M. Cross, to be Vice Commandant of the U.S. Coast Guard, and to the grade of Vice Admiral, Vivien S. Crea, to be Commander, Atlantic Area of the U.S. Coast Guard, and to the grade of Vice Admiral, Harvey E. Johnson, to be Commander, Pacific Area of the U.S. Coast Guard, and to the grade of Vice Admiral, and certain lists of nominations for promotion in the U.S. Coast Guard.

NATIONAL PARK SERVICE CONCESSIONS PROGRAM

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded an oversight hearing to examine National Park Service's implementation of management policies and procedures for its concession management program, after receiving testimony from A. Durand Jones, Deputy Director, National Park Service, and Richard Allen Naille II, Chairperson, National Park Service Concessions Management Advisory Board, both of the Department of the Interior; Janet T. White, White Sands Concessions, Inc., Alamogordo, New Mexico; Michael F. Welch, Xanterra Parks and Resorts, Aurora, Colorado, on behalf of the National Park Hospitality Association; and Susie Verkamp, Verkamp's, El Prado, New Mexico.

ANTI-SEMITISM IN EUROPE

Committee on Foreign Relations: Subcommittee on European Affairs concluded a hearing to examine anti-Semitism in Europe, focusing on Arab and Muslim proponents of anti-Jewish hostility, recognition of the problem by European leadership, and the European Union Monitoring Centre on Racism and Xenophobia, and S. 2292, to require a report on acts of anti-Semitism around the world, after receiving testimony from A. Elizabeth Jones, Assistant Secretary of State, Bureau of European and Eurasian Affairs; Caryl M. Stern, Anti-Defamation League, Rabbi Andrew Baker, American Jewish Committeee, Mark Levin, National Conference on Soviet Jewry, and Daniel S. Mariaschin, B'nai B'rith International, all of Washington, D.C.

MEDICARE PRESCRIPTION DRUG PROGRAM

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia concluded an oversight hearing to examine the implementation of the Medicare Prescription Drug Improvement, and Modernization Act (Public Law 108–173), focusing on the new prescription drug discount card program, human resource issues, program integrity, system changes, and beneficiary education, after receiving testimony from Michael McMullan, Deputy Director, Center for Beneficiary Choices, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Gail R. Wilensky, Project HOPE, Bethesda, Maryland, former Administrator of the Health Care Financing Administration; and Nancy-Ann DeParle, J.P. Morgan Partners, LLC, New York, New York, former Administrator of the Health Care Financing Administration.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of William Duane Benton, of Missouri, to be United States Circuit Judge for the Eighth Circuit, who was introduced by Senators Bond and Talent; Robert Bryan Harwell, to be United States District Judge for the District of South Carolina, who was introduced by Senators Hollings and Graham (SC); George P. Schiavelli, to be United States District Judge for the Central District of California, who was introduced by Senator Boxer; and Curtis V. Gomez, to be Judge for the District Court of the Virgin Islands, who was introduced by Virgin Islands Delegate Christensen, after each nominee testified and answered questions in their own behalf.

MASS TRANSPORTATION SECURITY

Committee on the Judiciary: Committee concluded a hearing to examine safety concerns of the mass transportation system in the United States, focusing on S. 2289, to amend title 18, United States Code, to combat terrorism against railroad carriers and mass transportation systems on land, on water, or through the air, after receiving testimony from Harry S. Mattice, Jr., U.S. Attorney for the Eastern District of Tennessee, Department of Justice; S. Mark Lindsey, Chief Counsel, Federal Railroad Administration, Department of Transportation; Ernest R. Frazier, Sr., Chief, System Security and Safety, National Railroad Passenger Corporation (Amtrak); and Brian Michael Jenkins, Mineta Transportation Institute, San Jose, California.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to the provisions of H. Con. Res. 361, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, it

stands adjourned until 2 p.m. on Tuesday, April 20, 2004.

Committee Meetings

No committee meetings were held.

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Monday, April 19, 2004

Senate

Chamber Action

Routine Proceedings, pages 6932–58

Measures Introduced: One bill and one resolution were introduced, as follows: S. 2319, and S. Res. 340.

Page 6954

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Extradition Treaty with Great Britain and Northern Ireland (Treaty Doc. No. 108–23)

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page 6957**

Appointments

Abraham Lincoln Study Abroad Fellowship Program: The Chair announced the following appointment made on April 14, 2004, during the adjournment of the Senate: Pursuant to Public Law 108–199, on behalf of the Democratic Leader, the appointment of Douglas G. Ohmer of South Dakota to serve as a member of the Abraham Lincoln Study Abroad Fellowship Program. **Page 6957**

Nominations Received: Senate received the following nominations:

Thomas Fingar, of Virginia, to be an Assistant Secretary of State (Intelligence and Research).

Constance Berry Newman, Assistant Secretary of State (African Affairs), to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 27, 2009.

Anne W. Patterson, of Virginia, to be Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations.

Anne W. Patterson, of Virginia, to be a Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Deputy Representative of the United States of America to the United Nations.

Suzanne Hale, of Virginia, to be Ambassador to the Federated States of Micronesia.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Page 6958**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Walter H. Kansteiner, Assistant Secretary of State (African Affairs), to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 27, 2003, which was sent to the Senate on January 9, 2003. **Page 6958**

Executive Communications: **Page 6952**

Additional Cosponsors: **Page 6954**

Statements on Introduced Bills/Resolutions: **Page 6955**

Additional Statements: **Page 6951**

Privilege of the Floor: **Page 6957**

Adjournment: Senate convened at 1 p.m., and adjourned at 4:32 p.m., until 9:45 a.m., on Tuesday, April 20, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 6958.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to the provisions of H. Con. Res. 404, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, it stands adjourned until 2 p.m. on Tuesday, April 20, 2004.

Committee Meetings

No committee meetings were held.

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Tuesday, April 20, 2004

Senate

Chamber Action

Routine Proceedings, pages 6961–7029

Measures Introduced: Five bills and two resolutions were introduced, as follows: S. 2320–2324, and S. Res. 341–342. **Page 7018**

Measures Passed:

Cowlitz Indian Tribe Distribution of Judgment Fund Act: Senate passed H.R. 2489, to provide for the distribution of judgment funds to the Cowlitz Indian Tribe, clearing the measure for the President. Page 7022

Building Designation: Committee on Environment and Public Works was discharged from further consideration of H.R. 3118, to designate the Orville Wright Federal Building and the Wilbur Wright Federal Building in Washington, District of Columbia, and the bill was then passed, clearing the measure for the President. Page 7023

Federal Lands Transfer: Committee on Environment and Public Works was discharged from further consideration of S. 1814, to transfer Federal lands between the Secretary of Agriculture and the Secretary of the Interior, and the bill was then passed. Page 7023

Conveyance: Senate passed H.R. 1274, to direct the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouse in that county, clearing the measure for the President. Page 7025

Asbestos Litigation: Senate began consideration of the motion to proceed to the consideration of S. 2290, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure. Page 6982

A motion was entered to close further debate on the motion to proceed to the consideration of the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, April 22, 2004. Page 7004

Crime Victims' Rights Constitutional: Senate began consideration of the motion to proceed to consideration of S.J. Res. 1, proposing an amendment to the Constitution of the United States to protect the rights of crime victims. Page 7010

A motion was entered to close further debate on the motion to proceed to the consideration of the joint resolution and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, April 22, 2004. Page 7010

Subsequently, the motion to proceed was withdrawn. Page 7010

Nominations Received: Senate received the following nomination:

Virginia Maria Hernandez Covington, of Florida, to be United States District Judge for the Middle District of Florida. Page 7029

Enrolled Bills Presented: Page 7017

Executive Communications: Page 7017

Executive Reports of Committees: Page 7018

Additional Cosponsors: Page 7018

Statements on Introduced Bills/Resolutions: Page 7020

Additional Statements: Page 7015

Notices of Hearings/Meetings: Page 7022

Authority for Committees to Meet: Page 7022

Adjournment: Senate convened at 9:45 a..m., and adjourned at 7:25 p.m., until 9:30 a.m., on Wednesday, April 21, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 7025).

Committee Meetings

APPROPRIATIONS: DEPARTMENT OF THE TREASURY

Committee on Appropriations: Subcommittee on Transportation, Treasury and General Government concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of the Treasury, after receiving testimony from John W. Snow, Secretary of the Treasury.

APPROPRIATIONS: BUREAU OF RECLAMATION/ARMY CORPS OF ENGINEERS

Committee on Appropriations: Subcommittee on Energy and Water Development concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Bureau of Reclamation and the Army Corps of Engineers, after receiving testimony from John W. Keys III, Commissioner, Bureau of Reclamation, the Department of the Interior; John P. Woodley, Jr., Assistant Secretary of the Army (Civil Works); and Lieutenant General Robert B. Flowers, Chief of Engineers, U.S. Army Corps of Engineers.

IRAQ AND AFGHANISTAN

Committee on Armed Services: Committee concluded open and closed hearings to examine United States policy and military operations in Iraq and Afghanistan, after receiving testimony from Paul D. Wolfowitz, Deputy Secretary of Defense; General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff; and Mark I. Grossman, Under Secretary of State for Political Affairs.

BANKING AND CREDIT UNION INDUSTRIES

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine current conditions of the banking and credit union industries, focusing on improved risk-management practices of banks, the current status and direction of regulatory efforts to revise capital standards for internationally active banks, deposit insurance, and consolidation within the domestic banking industry, after receiving testimony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System; John D. Hawke, Jr., Comptroller of the Currency, and James E. Gilleran, Director, Office of Thrift Super-

vision, both of the Department of the Treasury; Donald E. Powell, Chairman, Federal Deposit Insurance Corporation; Dennis Dollar, National Credit Union Administration, Alexandria, Virginia; and Kevin P. Lavender, Tennessee Department of Financial Institutions, Nashville, on behalf of the Conference of State Bank Supervisors.

IRAQ TRANSITION

Committee on Foreign Relations: Committee concluded a hearing to examine the current state of society in Iraq, focusing on moving the Iraqi people toward a secure, independent state, after receiving testimony from James R. Schlesinger, Lehman Brothers, Samuel R. Berger, Stonebridge International, LLC, and Richard N. Perle, American Enterprise Institute, all of Washington, D.C.; Benjamin T. Dodge, International Institute for Strategic Studies, London, United Kingdom; and Juan Cole, University of Michigan, Ann Arbor.

BLACK MARKET

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine the effectiveness of the federal government's current efforts to enforce existing intellectual property rights and how current U.S. intellectual property enforcement policies relate to the loss of manufacturing jobs, after receiving testimony from Jon W. Dudas, Acting Under Secretary of Commerce for Intellectual Property and Acting Director of the U.S. Patent and Trademark Office; Francis Gary White, Unit Chief, Commercial Fraud Division, Immigration and Customs Enforcement, Department of Homeland Security; Jeff Gorman, Gorman-Rupp Company, Mansfield, Ohio; Phillip A. Rotman II, Dana Corporation, Toledo, Ohio; and Daniel C.K. Chow, The Ohio State University College of Law, Columbus.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 10 public bills, H.R. 4170–4179; and 2 resolutions, H. Res. 598–599 were introduced. **Page 7072**

Additional Cosponsors: **Page 7073**

Reports Filed: Reports were filed today as follows:

Filed on April 14: H.R. 3970, to provide for the implementation of a Green Chemistry Research and Development Program, amended (H. Rept. 108–462);

H.R. 2131, to award a congressional gold medal to President Jose Maria Aznar of Spain (H. Rept. 108–463);

H.R. 2693, to reauthorize the Marine Mammal Protection Act of 1972, amended (H. Rept. 108–464); and

H.R. 4030, to establish the Congressional Medal for Outstanding Contributions in Math and Science Education program to recognize private entities for their outstanding contributions to elementary and secondary science, technology, engineering, and mathematics education, amended (H. Rept. 108–465). **Page 7072**

Speaker: Read a letter from the Speaker wherein he appointed Representative Culberson to act as Speaker Pro Tempore for today. **Page 7030**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Richard G. Wilson Processing and Distribution Facility Designation Act: H.R. 4037, to designate the facility of the United States Postal Service located at 475 Kell Farm Drive in Cape Girardeau, Missouri, as the "Richard G. Wilson Processing and Distribution Facility", by a ⅔ yea-and-nay vote of 392 yeas with none voting "nay", Roll No. 118; **Pages 7032, 7037**

General John J. Pershing Post Office Building Designation Act: H.R. 3855, to designate the facility of the United States Postal Service located at 607 Pershing Drive in Laclede, Missouri, as the "General John J. Pershing Post Office", by a ⅔ yea-and-nay vote of 389 yeas with none voting "nay", Roll No. 119; **Pages 7034, 7037**

Dosan Ahn Chang Ho Post Office Building Designation Act: H.R. 1822, to designate the facility of the United States Postal Service located at 3751 West 6th Street in Los Angeles, California, as the "Dosan Ahn Chang Ho Post Office", by a ⅔ yea-and-nay vote of 399 yeas with none voting "nay", Roll No. 120; and **Pages 7035, 7038**

Recognizing the 91st annual meeting of The Garden Club of America: S. Con. Res. 97, a concurrent resolution recognizing the 91st annual meeting of The Garden Club of America. **Page 7035**

Recess: The House recessed at 2:52 p.m. and reconvened at 6:30 p.m. **Page 7037**

Commission on the Review of the Overseas Military Facility Structure of the United States—Appointment: Read a letter from the Minority Leader wherein she appointed Mr. Keith Martin of Shavertown, Pennsylvania, to the Commission on the Review of the Overseas Military Facility Structure of the United States. **Page 7032**

Meeting Hour for Thursday: Agreed that when the House adjourn on Wednesday, April 21, it adjourn to

meet at 9 a.m. on Thursday, April 22, for the purpose of receiving former Members of Congress in the House Chamber. Further agreed that it be in order for the Speaker to declare the House in recess subject to the call of the Chair for the purpose of receiving the former Members. **Page 7039**

Senate Messages: Message received from the Senate today appears on page 7030.

Senate Referral: S. 129 was referred to the Committee on Government Reform and S. 1108 was referred to the Committee on Resources. **Page 7070**

Discharge Petition: Representative Baird moved to discharge the Committee on Rules from the consideration of H. Res. 572, providing for the consideration of H.J. Res. 83, proposing an amendment to the Constitution of the United States regarding the appointment of individuals to fill vacancies in the House of Representatives (Discharge Petition No. 7).

Amendments: Amendments ordered printed pursuant to the rule appear on page 7074.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages 7037–39. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 11:51 p.m.

Committee Meetings

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies continued appropriation hearings. Testimony was heard from public witnesses.

HIPC DEBT RELIEF

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade and Technology held a hearing entitled "HIPC Debt Relief: Which Way Forward?" Testimony was heard from Thomas Melito, Acting Director, International Affairs and Trade, GAO; and public witnesses.

PAPERWORK REDUCTION

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing on What is the Administration's Economic Growth Plan Component for Paperwork Reduction? Testimony was heard from John D. Graham, Administrator, Office of Information and Regulatory Affairs, OMB; Mark W. Everson, Commissioner, IRS, Department of the Treasury; Patricia A. Dalton, Director, Strategic Issues, GAO; and public witnesses.

CONTINUITY IN REPRESENTATION ACT

Committee on Rules: Heard testimony from Chairman Ney and Representatives Larson of Connecticut, Lofgren, Jackson-Lee of Texas, Maloney, Sherman, Baird, and Langevin, but action was deferred on H.R. 2844, Continuity in Representation Act of 2004.

BRIEFING—TECHNICAL TRANSPORTATION STRATEGIC PLAN

Permanent Select Committee on Intelligence: Subcommittee on Technical and Tactical Intelligence held a briefing on Technical Transformation Strategic Plan. The Subcommittee was briefed by departmental witnesses.

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Wednesday, April 21, 2004

Senate

Chamber Action

***Routine Proceedings, pages** 7176–7244*

Measures Introduced: Nine bills and one resolution were introduced, as follows: S. 2325–2333, and S.J. Res. 33. **Page 7232**

Asbestos Litigation: Senate continued consideration of the motion to proceed to the consideration of S. 2290, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure. **Pages 7190, 7240**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to the consideration of the bill at 10:30 a.m., on Thursday, April 22, 2004, with 60 minutes for debate, followed by a vote on the motion to invoke cloture on the motion to proceed to occur at approximately 11:30 a.m. **Page 7240**

Crime Victims' Rights—Agreement: A unanimous-consent agreement was reached providing that if cloture is not invoked on S. 2290 (listed above), Senate begin consideration of S. 2329, to protect crime victims' rights; that the bill be held at the desk; that there be no amendments in order to the bill; and that there be two hours for debate, followed by a vote on final passage of the bill. **Page 7240**

Crime Victims' Rights Constitutional Amendment—Agreement: A unanimous-consent agreement was reached providing that the cloture vote on the motion to proceed to consideration of S.J. Res. 1, proposing an amendment to the Constitution of the United States to protect the rights of crime victims, scheduled to occur on Thursday, April 22, 2004, was vitiated. **Page 7240**

Nominations Confirmed: Senate confirmed the following nominations:

4 Coast Guard nominations in the rank of admiral.

Routine lists in the Coast Guard. Pages 7240, 7244
Messages From the House: Page 7229
Measures Referred: Page 7229
Measures Held at Desk: Page 7230
Executive Communications: Page 7230
Additional Cosponsors: Page 7232
Statements on Introduced Bills/Resolutions: Page 7233
Additional Statements: Page 7227
Authority for Committees to Meet: Page 7239
Privilege of the Floor: Page 7239

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:27 p.m., until 9:30 a.m., on Thursday, April 22, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 7240.)

Committee Meetings

APPROPRIATIONS: MISSILE DEFENSE AGENCY

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Missile Defense Agency, after receiving testimony from Lieutenant General Ronald T. Kadish, USAF, Director, Missile Defense Agency, Department of Defense.

APPROPRIATIONS: FOREIGN ASSISTANCE

Committee on Appropriations: Subcommittee on Foreign Operations concluded a hearing to examine proposed budget estimates for fiscal year 2005 for foreign assistance, including counterterrorism programs, after receiving testimony from Ambassador J. Cofer Black, Coordinator for Counterterrorism, Department of State; and Andrew S. Natsios, Administrator, U.S. Agency for International Development.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Romolo A. Bernardi, of New York, to be Deputy Secretary, who was introduced by Senator Schumer and Representative Walsh, Dennis C. Shea, of Virginia, to be Assistant Secretary for Policy Development and Research, who was introduced by Senator Warner and former Senator Dole, and Cathy M. MacFarlane, of Virginia, to be Assistant Secretary for Public Policy, who was introduced by Senator Warner, all of the Department of Housing and Urban Development.

RECREATION FEE DEMONSTRATION PROGRAM

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded an oversight hearing to examine the implementation of the Recreation Fee Demonstration Program by the Forest Service and Bureau of Land Management, and on policies related to the program, after receiving testimony from P. Lynn Scarlett, Assistant Secretary of the Interior for Policy, Management, and Budget; Mark Rey, Under Secretary of Agriculture for Natural Resources and Environment; Carl Wilgus, Idaho Department of Commerce, Boise, on behalf of the Western States Tourism Policy Council; Ted Anderson, Skagit County Board of Commissioners of Mount Vernon, Washington, on behalf of the National Association of Counties and the Washington State Association of Counties; Sue Bray, Good Sam Club, Ventura, California, on behalf of the American Recreation Coalition; Robert Raney, Montana State Parks Foundation, Livingston; and Edwin Phillips, Americans for Forest Access, Big Bear City, California.

NAFTA

Committee on Foreign Relations: on Tuesday, April 20, Subcommittee on International Economic Policy, Export and Trade Promotion concluded a hearing to examine a ten year perspective and implications for the future regarding NAFTA, focusing on the economic impact on the economy, impact on Mexico's economy and politics and the implications for relations with Mexico, commerce's role in enhancing economic opportunities for exporters, and NAFTA's next decade and the need to focus on economic competitiveness in a global economy, after receiving testimony from Grant D. Aldonas, Under Secretary of Commerce for International Trade; E. Anthony Wayne, Assistant Secretary of State for Economic and Business Affairs; A. Ellen Terpstra, Administrator, Foreign Agricultural Service, Department of Agriculture; Hector V. Barreto, Administrator, Small Business Administration; and Franklin J. Vargo, National Association of Manufacturers, C. Fred Bergsten, Institute for International Economics, and Thea Lee, AFL–CIO, all of Washington, D.C.

IRAQ TRANSITION

Committee on Foreign Relations: Committee continued hearings to examine the current state of society in Iraq, focusing on preparations for a transition to Iraqi sovereignty on June 30 and what steps are required to fill out a comprehensive transition plan, after receiving testimony from Kenneth M. Pollack and Michael E. O'Hanlon, both of the Brookings Institution, and General George A. Joulwan (Ret.), former NATO SACEAUR, all of Washington, D.C.; Michael Sheehan, New York Police Department, New York, New York; and Ahmed S. Hashim, United States Naval War College, Newport, Rhode Island.

Committee will meet again tomorrow.

STOCK OPTIONS ACCOUNTING POLICY

Committee on Governmental Affairs: on Tuesday, April 20, Subcommittee on Financial Management, the Budget, and International Security concluded an oversight hearing to examine supporting and strengthening the independ-

ence of the Financial Accounting Standards Board, focusing on the importance of FASB's independence in setting financial reporting and accounting standards, evaluating FASB's proposal to require mandatory expensing of stock options, and determining the economic and accounting/financial reporting impact of expensing stock options, after receiving testimony from Senators Boxer and Enzi; Robert H. Herz, Financial Accounting Standards Board, Norwalk, Connecticut; Paul A. Volcker, International Accounting Standards Committee Foundation, London, United Kingdom, former Chairman, Board of Governors of the Federal Reserve System; Jack T. Ciesielski, R.G. Associates, Inc., Baltimore, Maryland; James K. Glassman, American Enterprise Institute, and Damon Silvers, AFL–CIO, both of Washington, D.C.; Donald P. Delves, Delves Group, Chicago, Illinois; and Mark G. Heesen, National Venture Capital Association, Arlington, Virginia.

BUSINESS MEETING

Committee on Indian Affairs: Committee approved a revised amendment in the nature of a substitute, which will be offered as a Floor amendment to S. 344, expressing the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity (pending on Senate calendar).

Also, Committee ordered favorably reported the following bill:

S. 1721, to amend the Indian Land Consolidation Act to improve provisions relating to probate of trust and restricted land, with an amendment in the nature of a substitute.

FEDERAL ACKNOWLEDGMENT PROCESS REFORM ACT

Committee on Indian Affairs: Committee concluded a hearing to examine S. 297, to provide reforms and resources to the Bureau of Indian Affairs to improve the Federal acknowledgment process, after receiving testimony from Aurene Martin, Principal Deputy Assistant Secretary of the Interior for Indian Affairs; Edward Roybal II, Piro/Manso/Tiwa Indian Tribe, Pueblo of San Juan de Guadalupe, Las Cruces, New Mexico; Neal McCaleb, Chickasaw Nation Industries, Edmond, Oklahoma, former Assistant Secretary of the Interior for Indian Affairs; and Kevin Gover, Arizona State University College of Law, Tempe.

House of Representatives

Chamber Action

Measures Introduced: 13 public bills, H.R. 4180–4192; and 4 resolutions, H. Con. Res. 407–408, and H. Res. 600–601 were introduced. **Page 7173**

Additional Cosponsors: **Page 7174**

Reports Filed: Reports were filed today as follows:

H. Res. 602, providing for consideration of H.R. 2844, to require States to hold special elections to fill vacancies in the House of Representatives not later than 21 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances (H. Rept. 108–466). **Page 7173**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bass to act as Speaker Pro Tempore for today. **Page 7110**

Chaplain: The prayer was offered today by Rev. Dr. Woodrow Hudson, Chaplain, Georgia Department of Corrections in Atlanta, Georgia. **Page 7110**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Green Chemistry Research and Development Act of 2004: H.R. 3970, amended, to provide for the implementation of a Green Chemistry Research and Development Program, by a ⅔ yea-and-nay vote of 402 yeas to 14 nays, Roll No. 121; **Pages 7112, 7131**

Congressional Medal for Outstanding Contributions in Math and Science Education Act of 2004: H.R. 4030, amended, to establish the Congressional Medal for Outstanding Contributions in Math and Science Education program to recognize private entities for their outstanding contributions to elementary and secondary science, technology, engineering, and mathematics education, by a ⅔ yea-and-nay vote of 411 yeas to 7 nays, Roll No. 122; **Pages 7116, 7132**

Senator Paul Simon Federal Building Designation Act: S. 2022, to designate the Federal building located at 250 West Cherry Street in Carbondale, Illinois the "Senator Paul Simon Federal Building"—clearing the measure for the President; **Page 7118**

James V Hansen Federal Building Designation Act": H.R. 3147, amended, to designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the "James V Hansen Federal Building", by a ⅔ yea-and-nay vote of 418 yeas with none voting "nay", Roll No. 123; **Pages 7120, 7133**

Addressing the participation of Taiwan in the World Health Organization: H.R. 4019, amended, to address the participation of Taiwan in the World Health Organization, by a ⅔ yea-and-nay vote of 416 yeas with none voting "nay", Roll No. 124; and **Pages 7122, 7133**

Guardsmen and Reservists Financial Relief Act of 2003: H.R. 1779, to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from retirement plans during the period that a military reservist or national guardsman is called to active duty for an extended period, by a ⅔ yea-and-nay vote of 415 yeas with none voting "nay", Roll No. 125. **Pages 7125, 7134**

Recess: The House recessed at 6:21 p.m. and reconvened at 7:03 p.m. **Page 7169**

Senate Message: Message received from the Senate today appears on page 7110.

Senate Referral: S. 1814 was referred to the Committees on Resources, Agriculture, and Education and the Workforce. **Page 7170**

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings today and appear on pages 7131–35. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:04 p.m.

Committee Meetings

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior continued appropriation hearings. Testimony was heard from Members of Congress.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held a hearing on NIH, with emphasis on Budget/Road Map. Testimony was heard from Elias A. Zerhouni, MD, Director, NIH, Department of Health and Human Services.

TRANSPORTATION, TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury and Independent Agencies held a hearing on the IRS. Testimony was heard from Mark W. Everson, Commissioner, IRS, Department of the Treasury

VA, HUD, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies held a hearing on NASA. Testimony was heard from Sean O'Keefe, Administrator, NASA.

IRAQ'S TRANSITION TO SOVEREIGNTY

Committee on Armed Services: Held a hearing on Iraq's Transition to Sovereignty. Testimony was heard from the following officials of the Department of Defense: Paul D. Wolfowitz, Deputy Secretary; GEN Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff; and Judith Yaphe, Senior Fellow, National Defense University; Mark I. Grossman, Under Secretary, Political Affairs, Department of State; Amatzia Baram, Resident Fellow, United States Institute of Peace; and GEN John Keane, USA (ret.), former Vice Chief of Staff, U.S. Army.

DOD PERFORMANCE OF ACQUISITION PROCESS

Committee on Armed Services: Held a hearing on the Performance of the Department of Defense Acquisition Process in Support of Force Protection for Combat Forces. Testimony was heard from the following officials of the Department of Defense: Michael W. Wynne, Acting Under Secretary (Acquisition, Technology, and Logistics); LTG Joseph L. Yakovac, Jr., USA, Military Deputy and Director, Army Acquisition Corps, Office of the Assistant Secretary of the Army (Acquisition, Logistics and Technology); and MG Buford C. Blount III, USA, Assistant Deputy Chief of Staff, G–3, both with the Department of the Army; LTG Edward Hanlon, Jr., USMC, Deputy Commandant, Combat Development and Commanding General, Marine Corps Combat Development Command; and BG William D. Catto, USMC, Commanding General, Marine Corps Systems Command, both with the Department of the Navy.

RAISING ACADEMIC ACHIEVEMENT—IMPORTANCE OF HIGHLY QUALIFIED TEACHERS

Committee on Education and the Workforce: Held a hearing on the Importance of Highly Qualified Teachers in Raising Academic Achievement. Testimony was heard from public witnesses.

DOD—CURRENT ENVIRONMENTAL ISSUES AFFECTING READINESS

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality and the Subcommittee on Environment and Hazardous Materials held a joint hearing entitled "Current Environmental Issues Affecting the Readiness of the Department of Defense." Testimony was heard from the following officials of the Department of Defense: Raymond DuBois, Deputy Under Secretary, Installations and Environment; and BG Louis W. Weber, USA, Director of Training; Marianne Lamont Horinko, Assistant Administrator, Solid Waste and Emergency Response, EPA; the following officials of the State of Colorado: Douglas H. Benevento, Executive Director, Department of Public Health and Environment; and Dan Miller, First Assistant Attorney General, Natural Resources and Environmental Section, Department of Law; and public witnesses.

FASB STOCK OPTIONS PROPOSAL—EFFECT ON U.S. ECONOMY AND JOBS

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "The FASB Stock Options

Proposal: Its Effect on the U.S. Economy and Jobs." Testimony was heard from public witnesses.

DOD'S COUNTERNARCOTICS

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "DOD's Counternarcotics: What Is Congress Getting For Its Money?" Testimony was heard from the following officials of the Department of Defense: Tom O'Connell, Assistant Secretary, Special Operations and Low Intensity Conflict; and BG Benjamin Mixon, USA, U.S. Southern Command, J–3 Operations Office; and RADM David Kunkel, USCG, U.S. Pacific Command, J–3 Operations Office, Department of Homeland Security.

IRAQ OIL-FOR-FOOD PROGRAM

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing on Iraq Oil-for-Food Program: Starving for Accountability. Testimony was heard from the following officials of the Department of State: Patrick F. Kennedy, U.S. Representative for United Nations Management and Reform, U.S. Mission to the United Nations; and Robin L. Raphel, Coordinator, Office of Iraq Reconstruction; Michael J. Thibault, Deputy Director, Defense Contract Audit Agency, Department of Defense; Jeff Ross, Senior Advisor to the Deputy Secretary, Executive Office for Terrorist Financing and Financial Crimes, Department of the Treasury; and public witnesses.

PROTECTING OUR NATION'S CYBER SPACE

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census, hearing entitled "Protecting Our Nation's Cyber Space: Educational Awareness for the Cyber Citizen." Testimony was heard from Orson Swindle, Commissioner, FTC; Amit Yoran, Director, National Cyber Security Directorate, Department of Homeland Security; and public witnesses.

TAIWAN RELATIONS ACT

Committee on International Relations: Held a hearing on The Taiwan Relations Act: The Next Twenty-Five Years. Testimony was heard from James A. Kelly, Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State; Peter W. Rodman, Assistant Secretary, International Security Affairs, Department of Defense; and public witnesses.

U.S. AND NORTHERN EUROPE: THE E–PINE INITIATIVE

Committee on International Relations: Subcommittee on Europe held a hearing on the U.S. and Northern Europe: The e-PINE Initiative. Testimony was heard from Heather Conley, Deputy Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State; and the following Ambassadors to the United States: His Excellency Jan K. Eliasson, Sweden; and His Excellency Vygaudas Usackas, Republic of Lithuania.

OVERSIGHT—DEADLINE EXTENSION FOR REQUIRING FOREIGN VISITORS TO PRESENT BIOMETRIC PASSPORTS

Committee on the Judiciary: Held an oversight hearing entitled "Should the Congress extend the October, 2004 Statutory Deadline for Requiring Foreign Visitors to Present Biometric Passports?" Testimony was heard from Colin L. Powell, Secretary of State; and Tom Ridge, Secretary of Homeland Security.

TERRORIST PENALTIES ENHANCEMENT ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security approved for full Committee action, as amended, H.R. 2934, Terrorist Penalties Enhancement Act of 2003.

Prior to this action, the Subcommittee held a hearing on this legislation. Testimony was heard from Representative Carter; Johnny Sutton, U.S. Attorney, Western District of Texas, Department of Justice; and public witnesses.

COLORADO RIVER INDIAN RESERVATION BOUNDARY CORRECTION ACT

Committee on Resources: Held a hearing on H.R. 2941, Colorado River Indian Reservation Boundary Correction Act. Testimony was heard from Michael Olsen, Counselor to the Assistant Secretary, Indian Affairs, Department of the Interior; and a public witness.

TRIBAL FOREST PROTECTION ACT OF 2004

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on H.R. 3846, Tribal Forest Protection Act of 2004. Testimony was heard from Mark Rey, Under Secretary, Natural Resources and Environment, USDA; and public witnesses.

CONTINUITY IN REPRESENTATION ACT

Committee on Rules: Granted, by a vote of 6 to 3, a structured rule providing 60 minutes of general debate on H.R. 2844, Continuity in Representation Act of 2004, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives points of order against consideration of the bill for failure to comply with clause 3(c)(4) of rule XIII (requiring the inclusion of general performance goals and objectives in a committee report). The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in Part A of the report of the Committee on Rules accompanying the resolution, shall be considered as an

original bill for the purpose of amendment, which shall be considered as read. The rule makes in order only those amendments printed in part B of the Rules Committee report accompanying the resolution. The rule provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions.

COAST GUARD AUTHORIZATION ACT FOR FISCAL YEAR 2005

Committee on Transportation and Infrastructure: Ordered reported, as amended, H.R. 3879, Coast Guard Authorization Act for Fiscal Year 2005.

GDIP BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on GDIP Budget. Testimony was heard from departmental witnesses.

BRIEFING—NARCO-TERROR CONNECTIONS

Permanent Select Committee on Intelligence: Subcommittee on Terrorism and Homeland Security met in executive session to receive a briefing on Narco-Terror Connections. The Subcommittee was briefed by departmental witnesses.

DHS INFRASTRUCTURE PROTECTION DIVISION

Select Committee on Homeland Security: Subcommittee on Cybersecurity, Science, and Research and Development and the Subcommittee on Infrastructure and Border Security held a joint hearing entitled "The DHS Infrastructure Protection Division: Public-Private Partnerships to Secure Critical Infrastructures". Testimony was heard from Robert Liscouski, Assistant Secretary, Infrastructure Protection, Department of Homeland Security; Robert Dacey, Director, Informational Security Issues, GAO; George C. Newstrom, Secretary of Technology, State of Virginia; and public witnesses.

Joint Meetings

ECONOMIC OUTLOOK

Joint Economic Committee: Committee concluded a hearing to examine the outlook for the U.S. economy, after receiving testimony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System.

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Thursday, April 22, 2004

Senate

Chamber Action

Routine Proceedings, pages *7270–7372*

Measures Introduced: Twelve bills were introduced, as follows: S. 2334–2345. **Page 7335**

Measures Reported:

H. Con. Res. 328, Recognizing and honoring the United States Armed Forces and supporting the goals and objectives of a National Military Appreciation Month.

S. Res. 310, commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

S. 2270, to amend the Sherman Act to make oil-producing and exporting cartels illegal. **Page 7335**

Measures Passed:

Crime Victims' Rights: By 96 yeas to 1 nay (Vote No. 70), Senate passed S. 2329, to protect crime victims' rights, after agreeing to the following amendment proposed thereto: **Page 7294**

Kyl/Feinstein Amendment No. 3047, of a technical nature. **Page 7313**

Asbestos Litigation: Senate continued consideration of the motion to proceed to the consideration of S. 2290, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure. **Page 7280**

During consideration of this measure today, Senate also took the following action:

By 50 yeas to 47 nays (Vote No. 69), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to proceed to the consideration of the bill. **Page 7290**

Internet Tax Non-Discrimination Act: Senate began consideration of the motion to proceed to consideration of S. 150, to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act. **Page 7369**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, pursuant to the order of today, a vote on cloture will occur at 5:30 p.m., on Monday, April 26, 2004. **Page 7369**

Message From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report prepared by the National Science Board entitled "Science and Engineering Indicators—2004"; which was referred to the Committee on Commerce, Science, and Transportation. (PM–75) Page 7334

Messages From the House: Page 7334

Measures Referred: Page 7334

Measures Placed on Calendar: Page 7334

Measures Read First Time: Page 7334

Executive Communications: Page 7335

Additional Cosponsors: Page 7336

Statements on Introduced Bills/Resolutions: Page 7337

Additional Statements: Page 7329

Amendments Submitted: Page 7368

Authority for Committees to Meet: Page 7369

Privilege of the Floor: Page 7369

Record Votes: Two record votes were taken today. (Total—70) Pages 7290, 7313

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:04 p.m., until 1 p.m., on Monday, April 26, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 7370.)

Committee Meetings

APPROPRIATIONS: FAA

Committee on Appropriations: Subcommittee on Transportation, Treasury and General Government concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Federal Aviation Administration, after receiving testimony from Marion C. Blakey, Administrator, Federal Aviation Administration, and Kenneth M. Mead, Inspector General, both of the Department of Transportation.

OCEAN POLICY REPORT

Committee on Appropriations: Committee concluded a hearing to examine the U.S. Commission on Ocean Policy Report, which provides a blueprint for a coordinated, comprehensive national ocean policy for the 21st century, including 200 action-oriented recommendations concerning ocean and coastal-related issues, after receiving testimony from Admiral James D. Watkins, USN (Ret.), Chairman, U.S. Commission on Ocean Policy, who was accompanied by several of his associates.

OCEAN POLICY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine U.S. Commission on Ocean Policy Report, focusing on broad range ocean and coastal-related issues for the 21st Century, after receiving testimony from Representatives Farr and Ehlers; and Admiral James D. Watkins, USN (Ret.), Chairman, and Robert Ballard, Marc J. Hershman, Christopher Koch, Edward B. Rasmuson, Andrew A. Rosenberg, and Paul A. Sandifer, each a Commissioner, all of the U.S. Commission on Ocean Policy.

IRAQ TRANSITION

Committee on Foreign Relations: Committee concluded hearings to examine obstacles and opportunities regarding the Iraq transition, focusing on the Administration's plans for the transition to Iraqi sovereignty, after receiving testimony from Marc Grossman, Under Secretary of State for Political Affairs, and Francis J. Ricciardone, Jr., Coordinator, Iraq Transition Team, both of the Department of State; Peter W. Rodman, Assistant Secretary for International Security Affairs, and Lieutenant General Claude Kicklighter (Ret.), Transition Chief, Coalition Provisional Authority, both of the Department of Defense; and Andrew S. Natsios, Administrator, United States Agency for International Development.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Lauren Moriarty, of Hawaii, to be Ambassador during her tenure of service as United States Senior Official to the Asia-Pacific Economic Cooperation Forum, Christopher R. Hill, of Rhode Island, to be Ambassador to the Republic of Korea, Michael W. Marine, of Vermont, to be Ambassador to Vietnam, and Patricia M. Haslach, of Oregon, to be Ambassador to Laos, after each nominee testified and answered questions in their own behalf.

U.S.-CHINA RELATIONS

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine U.S.-China relations and the status of reforms in China, focusing on human rights conditions and the prospects for democracy in China, after receiving testimony from Lorne W. Craner, Assistant Secretary of State for Democracy, Human Rights and Labor; Richard Lawless, Deputy Assistant Secretary of Defense; Arthur Waldron, University of Pennsylvania Department of History, Philadelphia; and Thea Lee, AFL–CIO, Pieter Bottelier, Johns Hopkins University School of Advanced International Studies, and Roger W. Robinson, Jr., U.S.-China Economic and Security Review Commission, all of Washington, D.C.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Jendayi Elizabeth Frazer, of Virginia, to be Ambassador to South Africa, who was introduced by Senator Warner; Jack Dyer Crouch II, of Missouri, to be Ambassador to Romania,

who was introduced by Senator Bond; and Victor Henderson Ashe, of Tennessee, to be Ambassador to Poland, who was introduced by Senator Alexander, after each nominee testified and answered questions in their own behalf.

BUSINESS MEETING (REVISION)

Committee on Indian Affairs: On Wednesday, April 21, Committee approved a revised amendment in the nature of a substitute, which will be offered as a Floor amendment to S. 344, expressing the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity (pending on Senate calendar).

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following bills:

S. Res. 310, commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers;

H. Con. Res. 328, recognizing and honoring the United States Armed Forces and supporting the goals and objectives of a National Military Appreciation Month; and

S. 2270, to amend the Sherman Act to make oil-producing and exporting cartels illegal.

IMMIGRATION LAW ENFORCEMENT

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Citizenship concluded a hearing to examine the assistance of state and local authority to enforce immigration laws, focusing on an approach for stopping terrorists, the inherent arrest authority possessed by States, and the absence of Congressional preemption, after receiving testimony from Kris W. Kobach, University of Missouri-Kansas City School of Law, Kansas City; E.J. Picolo, Florida Department of Law Enforcement, Fort Myers; David A. Harris, University of Toledo College of Law, Toledo, Ohio; and Michelle Malkin, Bethesda, Maryland.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 25 public bills, H.R. 4193–4217; and 4 resolutions, H. Res. 603–606 were introduced. **Page 7477**

Additional Cosponsors: **Page 7480**

Reports Filed: Reports were filed today as follows:

H. Con. Res. 388, authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service (H. Rept. 108–467);

H. Con. Res. 389, authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run (H. Rept. 108–468); and

H. Con. Res. 376, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (H. Rept. 108–469). **Page 7477**

Chaplain: The prayer was offered today by Rev. Ronald J. Nuzzi, Director, ACE Leadership Program at the University of Notre Dame. **Page 7373**

Reception to Receive Former Members of Congress in the House Chamber: The House recessed to receive the United States Association of Former Members of Congress in the House Chamber. Later, agreed to the Kline motion that the proceedings had during the recess be printed in the Record. **Page 7373**

Recess: The House recessed at 9:08 a.m. and reconvened at 10:45 a.m. **Page 7373, 7401**

Continuity in Representation Act of 2004: The House passed H.R. 2844, to require States to hold special elections to fill vacancies in the House of Representatives not later than 21 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances, by a yea-and-nay vote of 306 yeas to 97 nays, Roll No. 130. **Page 7416**

The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules was considered as an original bill for the purpose of amendment. **Page 7428**

Agreed to the Watt motion to recommit the bill to the Committee on House Administration with instructions by a voice vote. Then agreed to the amendment reported by the Committee on House Administration by a voice vote. **Page 7439**

Agreed to:

Maloney amendment (made in order by a unanimous consent agreement that replaces the amendment no. 3 printed in part B of H. Rept. 108–466) that requires that states ensure to the greatest extent practicable that ballots are transmitted to uniformed services voters or overseas voters not later than 15 days after the Speaker's an-

nouncement of a vacancy and that the state shall accept and process the ballot so long as it is received by the appropriate state election official not later than 45 days after the State transmits the ballot or other election material to the voter. **Page 7433**

Rejected:

Schiff amendment, no. 4 printed in part B of H. Rept. 108–466, that provides that any lawsuit challenging the Speaker's announcement that more than 100 vacancies exist must be filed within seven days of the announcement; **Page 7435**

Larson amendment, no. 1 printed in part B of H. Rept. 108–466, that strikes the bill's overall 45-day time frame to conduct special elections and substitutes 75 days (rejected by a recorded vote of 179 ayes to 229 noes, Roll No. 128); and **Pages 7429, 7436**

Larson amendment, no. 2 printed in part B of H. Rept. 108–466, that strikes the provision establishing a 10-day deadline for parties to nominate candidates in a special election and substitutes language that provides that candidates would be eligible to run in a special election under this bill if that candidate meets the requirements to get on the ballot as set by state law and that states could extend the overall time deadline in the bill to accomplish the result (rejected by a recorded vote of 188 ayes to 217 noes, Roll No. 129). **Pages 7431, 7437**

Withdrawn:

Baird motion to strike the enacting clause. **Page 7438**

Agreed to amend the title so as to read: to require States to hold special elections to fill vacancies in the House of Representatives not later than 45 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances. **Page 7441**

H. Res. 602, the rule providing for consideration of the bill was agreed to by a recorded vote of 212 ayes to 197 noes, Roll No. 127, after agreeing to order the previous question by a yea-and-nay vote of 210 yeas to 198 nays, Roll No. 126. **Page 7405**

Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission: The Chair announced the Minority Leader's appointment of Mr. Lynn C. Fritz of California, Mr. C. Payne Lucas of Washington, D.C., and Mr. Jeffery D. Sachs of New York, to the Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission. **Page 7443**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at noon on Monday, April 26; and further that when it adjourn on that day, it adjourn to meet at 12:30 p.m. on Tuesday, April 27 for Morning Hour debate. **Page 7443**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, April 28. **Page 7443**

Presidential Message: Read a letter from the President wherein he transmitted a report by the National Science Board entitled, "Science and Engineering Indicators—2004."—referred to the Committee on Science. **Page 7446**

Quorum Calls—Votes: Two yea-and-nay votes and three recorded votes developed during the proceedings today and appear on pages 7415–16, 7436–38, and 7440–41. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 8:34 p.m.

Committee Meetings

DISTRICT OF COLUMBIA APPROPRIATIONS

Committee on Appropriations: Subcommittee on District of Columbia held a hearing on District of Columbia Courts. Testimony was heard from the following officials of the District of Columbia: Rufus G. King III, Chief Judge, Superior Court; and Annice Wagner, Chairperson, Joint Committee on Judicial Administration and Chief Judge, Court of Appeals.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies continued hearings on NIH, with emphasis on Management Issues. Testimony was heard from Elias A. Zerhouni, MD, Director, NIH, Department of Health and Human Services.

LEGISLATIVE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative held a hearing on the House of Representatives. Testimony was heard from the following officials of the House of Representatives: Jeff Trandahl, Clerk of the House; James M. Eagen III, Chief Administrative Officer; Wilson S. Livingood, Sergeant at Arms; Steven McNamara, Inspector General; Geraldine Gennet, Office of the General Counsel; John R. Miller, Office of the Law Revision Counsel; M. Pope Barrow, Office of the Legislative Counsel; and John Eisold, M.D., Office of the Attending Physician.

The Subcommittee also held a hearing on the GAO. Testimony was heard from David M. Walker, Comptroller General of the United States, GAO.

DEVELOPMENTS IN LABOR LAW

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing entitled "Developments in Labor Law: Examining Trends and Tactics in Labor Organization Campaigns." Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Ordered reported the following measures: H.R. 3866, as amended, Anabolic Steroid Control Act of 2004; H.R. 2771, To amend the Safe Drinking Water Act to reauthorize the New York

City Watershed Protection Act; and H. Res. 516, as amended, Supporting the goals of National Manufacturing Week, congratulating manufacturers and their employees for their contributions to growth and innovation, and recognizing the challenges facing the manufacturing sector.

STATUS REPORT—FEDERAL AGENCIES' CONTINUITY OF OPERATIONS PLANS

Committee on Government Reform: Held a hearing on Can Federal Agencies Function in the Wake of a Disaster? A Status Report on Federal Agencies' Continuity of Operations Plans. Testimony was heard from Linda D. Koontz, Director, Information Management Issues, GAO; Michael Brown, Under Secretary, Emergency Preparedness and Response Directorate, Department of Homeland Security; and a public witness.

RESOLUTION—CONDEMNING SUDAN FOR ATTACKS AGAINST INNOCENT PEOPLE; RWANDA'S GENOCIDE: LOOKING BACK

Committee on International Relations: Subcommittee on Africa approved for full Committee action, as amended, H. Con. Res. 403, Condemning the Government of the Republic of the Sudan for its attacks against innocent civilians in the impoverished Darfur region of western Sudan.

The Subcommittee also held a hearing on Rwanda's Genocide: Looking Back. Testimony was heard from public witnesses.

LEGAL THREATS TO TRADITIONAL MARRIAGE

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing entitled "Legal Threats to Traditional Marriage: Implications for Public Policy." Testimony was heard from public witnesses.

OVERSIGHT—FEDERAL TRADEMARK DILUTION ACT AMENDMENTS

Committee on the Judiciary: Subcommittee on Courts, The Internet, and Intellectual Property held an oversight hearing on a proposal to amend the Federal Trademark Dilution Act. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans approved for full Committee the following measures: H.R. 2619, as amended, Kilauea Point National Wildlife Refuge Expansion Act of 2003; H.R. 3378, Marine Turtle Conservation Act of 2003; H.R. 4114, Migratory Bird Treaty Act of 2004; and H. Res. 431, Honoring the achievements of Siegfried and Roy, recognizing the impact of their efforts on the conservation of endangered species both domestically and worldwide, and wishing Roy Horn a full and speedy recovery.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands approved for full Committee action the following bills: H.R. 646, as amended, To expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862; H.R. 2201, National War Permanent Tribute Historical Database Act; H.R. 2663, To authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System; H.R. 2966, as amended, Right-to-Ride Livestock on Federal Lands Act of 2003; H.R. 3768, Timucuan Ecological and Historic Preserve Boundary Revision Act of 2004; H.R. 3819, Lewis and Clark National Historical Park Designation Act of 2004; and H.R. 3874, To convey for public purposes certain Federal lands in Riverside County, California, that have been identified for disposal.

SMALL BUSINESSES CREATING JOBS AND PROTECTING THE ENVIRONMENT

Committee on Small Business: Subcommittee on Regulatory Reform and Oversight held a hearing on Small Businesses Creating Jobs and Protecting the Environment. Testimony was heard from William Farland, Deputy Assistant Administrator for Science, Office of Research and Development, EPA; and public witnesses.

OVERSIGHT—REVIEW AIRPORT SCREENER PRIVATIZATION PILOT PROGRAM

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing to Review the Airport Screener Privatization Pilot Program. Testimony was heard from the following officials of the Department of Homeland Security: David M. Stone, Acting Administrator, Transportation Security Administration; and Clark Kent Ervin, Inspector General; Norman J. Rabkin, Managing Director, Homeland Security and Justice Division, GAO; and public witnesses.

GLOBAL UPDATES

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy and National Security met in executive session to hold a hearing on Global Updates. Testimony was heard from departmental witnesses.

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Monday, April 26, 2004

Senate

Chamber Action

Routine Proceedings, pages *7534–79*

Measures Introduced: Four bills and one resolution were introduced, as follows: S. 2346–2349, and S.J. Res. 34. Page 7571

Measures Reported: S. 1910, to direct the Secretary of Agriculture to carry out an inventory and management program for forests derived from public domain land. (S. Rept. No. 108–254)

H.R. 620, to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist the State of California or local educational agencies in California in providing educational services for students attending schools located within the Park, with an amendment in the nature of a substitute. (S. Rept. No. 108–255) Page 7571

Measures Passed:

Commending Public Servants: Committee on Governmental Affairs was discharged from further consideration of S. Res. 336, expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 3 through 9, 2004, and the resolution was then agreed to. Page 7578

Commemorating Law Enforcement Officers: Senate agreed to S. Res. 310, commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers. Page 7578

Recognizing Armed Forces: Senate agreed to H. Con. Res. 328, recognizing and honoring the United States Armed Forces and supporting the goals and objectives of a National Military Appreciation Month. Page 7579

Internet Tax Non-Discrimination Act: Senate resumed consideration of the motion to proceed to consideration of S. 150, to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act. Page 7542

During consideration of this measure today, Senate also took the following action:

By 74 yeas to 11 nays (Vote No. 71), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. Page 7558

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at 10:45 a.m., on Tuesday, April 27, 2004; providing that there be 2 hours and 40 minutes remaining for debate; and upon the use or yielding back of time, the motion to proceed be agreed to. Page 7565

Nominations Received: Senate received the following nominations:

James D. McGee, of Florida, to be Ambassador to the Republic of Madagascar.

John D. Negroponte, of the District of Columbia, to be Ambassador to Iraq.

David Michael Satterfield, of Virginia, to be Ambassador to the Hashemite Kingdom of Jordan.

Routine lists in the Army. Page 7579

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Bradley D. Belt, of the District of Columbia, to be a Member of the Social Security Advisory Board for a term expiring September 30, 2008, which was sent to the Senate on January 21, 2004.

Bradley D. Belt, of the District of Columbia, to be a Member of the Social Security Advisory Board for a term expiring September 30, 2008, which was sent to the Senate on September 3, 2003. Page 7579

Measures Placed on Calendar: Page 7571

Measures Read First Time: Page 7571

Additional Cosponsors: Page 7571

Statements on Introduced Bills/Resolutions: Page 7573

Additional Statements: Page 7570

Notices of Hearings/Meetings: Page 7577

Record Votes: One record vote was taken today. (Total—71) Page 7559

Adjournment: Senate convened at 1 p.m., and adjourned at 7:29 p.m., until 9:45 a.m., on Tuesday, April 27, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 7579.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: There were no measures introduced today.

Additional Cosponsors: Page 7533

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker Pro Tempore for today. Page 7530

Senate Message: Message received from the Senate today appears on page 7530.

Senate Referral: S. 2329 was referred to the Committee on the Judiciary. Page 7530

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 12 noon and adjourned at 12:03 p.m.

Committee Meetings

JUSTICE FOR ALL: A REVIEW OF THE OPERATIONS OF THE DISTRICT OF COLUMBIA SUPERIOR COURT

Committee on Government Reform: On April 23, the Committee held a hearing on Justice for All: A Review of the Operations of the District of Columbia Superior Court. Testimony was heard from the following officials of the Superior Court, District of Columbia: Rufus G. King III, Chief Judge; Lee F. Satterfield, Presiding Judge, Family Court; and Jose M. Lopez, Presiding Judge, Probate Division; Cornelia M. Ashby, Director, Education, Workforce and Income Security Issues, GAO; and public witnesses.

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Tuesday, April 27, 2004

Senate

Chamber Action

Routine Proceedings, pages 7614–76

Measures Introduced: Three bills and two resolutions were introduced, as follows: S. 2350–2352, S. Res. 343, and S. Con. Res. 100. **Page 7661**

Measures Passed:

INTELSAT IPO Extension: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. 2315, to amend the Communications Satellite Act of 1962 to extend the deadline for the INTELSAT initial public offering, and the bill was then passed. **Page 7676**

Internet Tax Non-Discrimination Act: Senate agreed to the motion to proceed to consideration of S. 150, to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act, and then began consideration of the bill, taking action on the following amendments proposed thereto:

Pages 7621, 7628

Pending:

McCain Amendment No. 3048, in the nature of a substitute. **Page 7633**

Daschle Amendment No. 3050 (to the language of the bill proposed to be stricken by Amendment No. 3048), to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence. **Page 7637**

Domenici Amendment No. 3051 (to Amendment No. 3050), to enhance energy conservation and research and development and to provide for security and diversity in the energy supply for the American people. **Page 7645**

Rejected:

Hutchison Amendment No. 3049 (to Amendment No. 3048), to change the definition of Internet access service. (By 64 yeas to 32 nays (Vote No. 72), Senate tabled the amendment.) **Page 7636**

Withdrawn:

McCain Amendment No. 2136, in the nature of a substitute. **Page 7633**

During consideration of this measure today, Senate also took the following action:

Stabenow Amendment No. 2141 (to Amendment No. 2136), to express the sense of the Senate that the White House and all Executive Branch agencies should respond promptly and completely to all requests by Members of Congress of both parties for information about public expenditures, fell when McCain Amendment No. 2136 (listed above) was withdrawn. **Page 7633**

A motion was entered to close further debate on Daschle Amendment No. 3050 (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, April 29, 2004. **Page 7654**

A motion was entered to close further debate on Domenici Amendment No. 3051 (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, April 29, 2004. **Page 7654**

A motion was entered to close further debate on McCain Amendment No. 3048 (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, April 29, 2004. **Page 7654**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Wednesday, April 28, 2004. **Page 7676**

Appointments:

Commission on Review of Overseas Military Facility Structure of the United States: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108–132, Section 128, appointed the following individual to the Commission on Review of Overseas Military Facility Structure of the United States: Admiral Thomas Lopez of Virginia. **Page 7676**

Messages From the House: **Page 7660**

Measures Placed on Calendar: **Page 7661**

Enrolled Bills Presented: **Page 7661**

Additional Cosponsors: **Page 7661**

Statements on Introduced Bills/Resolutions: **Page 7662**

Additional Statements: **Page 7660**

Amendments Submitted: Page 7667

Notices of Hearings/Meetings: Page 7675

Authority for Committees to Meet Page 7675

Record Votes: One record vote was taken today. (Total—72) Page 7637

Adjournment: Senate convened at 9:45 a.m., and adjourned at 8:27 p.m., until 9:30 a.m., on Wednesday, April 28, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 7676.)

Committee Meetings

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Tina Westby Jonas, of Virginia, to be Under Secretary of Defense (Comptroller), Dionel M. Aviles, of Maryland, to be Under Secretary of the Navy, and Jerald S. Paul, of Florida, to be Principal Deputy Administrator for Defense Programs, National Nuclear Security Administration, who was introduced by Senator Nelson (FL), after each nominee testified and answered questions in their own behalf.

TELECOMMUNICATIONS POLICY

Committee on Commerce, Science, and Transportation: Committee held a hearing to examine telecommunications policy, focusing on lessons learned from the Telecommunications Act of 1996, including opening the telephone exchange market to competition, after receiving testimony from David Dorman, AT&T Corporation, Bedminster, New Jersey; Richard C. Notebaert, Qwest Communications, Denver, Colorado; and James Geiger, Cbeyond Communications, Atlanta, Georgia, on behalf of the Association for Local Telecommunications Services.

Hearings recessed subject to the call.

INTERNATIONAL SPACE EXPLORATION PROGRAM

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space held a hearing to examine International Space Exploration Program, focusing on competition and cooperation in the space exploration arena globally, receiving testimony from Marcia S. Smith, Specialist in Aerospace and Telecommunications Policy, Congressional Research Service, Library of Congress; Sven Grahn, Swedish Space Corporation, Solna, Sweden; John M. Logsdon, George Washington University Elliot School of International Affairs, Washington, D.C.; and James Oberg, Soaring Hawk Productions, Dickinson, Texas.

Hearings recessed subject to the call.

ELECTRICITY GENERATION

Committee on Energy and Natural Resources: Committee concluded an oversight hearing to examine sustainable, low emission, electricity generation, focusing on clean coal, wind, geothermal, and solar energy technologies, biomass, and nuclear waste management, after receiving testimony from David K. Garman, Assistant Secretary of Energy for Energy Efficiency and Renewable Energy; Richard E. Smalley, Rice University, Houston, Texas; Ernest J. Moniz, Massachusetts Institute of Technology Laboratory for Energy and the Environment, Cambridge; Francis P. Burke, CONSOL Energy, Inc., Pittsburgh, Pennsylvania, on behalf of the National Mining Association.

NATIONAL PARKS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 1064, to establish a commission to commemorate the sesquicentennial of the American Civil War, S. 1092, to authorize the establishment of a national database for purposes of identifying, locating, and cataloging the many memorials and permanent tributes to America's veterans, S. 1748, to establish a program to award grants to improve and maintain sites honoring Presidents of the United States, S. 2046, to authorize the exchange of certain land in Everglades National Park, S. 2052, to amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail, and S. 2319, to authorize and facilitate hydroelectric power licensing of the Tapoco Project, after receiving testimony from Senators DeWine and Hutchison; Paul Hoffman, Deputy Assistant Secretary of the Interior for Fish, Wildlife and Parks; J. Mark Robinson, Director, Office of Energy Projects, Federal Energy Regulatory Commission; Kathy Copeland, South Florida Water Management District, West Palm Beach; Brian Rooney, Remembering Veterans Who Earned Their Stripes, Northridge, California; Richard Moe, National Trust for Historic Preservation, Washington, D.C.; Randall M. Overbey, Alcoa, Inc., Knoxville, Tennessee; Faye Phillips, Louisiana State University, Baton Rouge; John L. Nau III, Texas Historical Commission, Houston, Texas on behalf of the Advisory Council on Historic Preservation.

INTERNATIONAL TRADE AND PHARMACEUTICALS

Committee on Finance: Subcommittee on International Trade and Subcommittee on Health Care held a joint hearing to examine international trade and pharmaceuticals, focusing on name-brand prescription drug prices, trade initiatives that promote innovation and ensure access to lifesaving medicines, importation of prescription drugs, drug counterfeiting, the Medicare Importation Study and Task Force, and making greater use of generics, receiving testimony from Grant D. Aldonas, Under Secretary of Commerce for International Trade; Josette Sheeran Shiner, Deputy U.S. Trade Representative; William K. Hubbard, Associate Commissioner for Policy and Planning, Public Health Service, Food and Drug Administration, Department of Health and Human Services; John E. Calfee, American Enterprise Institute, Wash-

ington, D.C.; and Gerard Anderson, Johns Hopkins University School of Bloomberg of Public Health, Baltimore, Maryland.

Hearings recessed subject to the call of the chair.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of John D. Negroponte, of the District of Columbia, to be Ambassador to Iraq, after the nominee testified and answered questions in his own behalf.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of Brett M. Kavanaugh, of Maryland, to be a United States Circuit Judge for the District of Columbia Circuit, after the nominee, who was introduced by Senator Cornyn, testified and answered questions in his own behalf.

INDEPENDENT AGING

Special Committee on Aging: Committee concluded a hearing to examine opportunities and challenges relating to assistive technologies for independent aging, focusing on how to accelerate and amplify the development of these technologies crucial to the nation's future security and economic well-being, after receiving testimony from Eric Dishman, Intel Corporation, Hillsboro, Oregon, on behalf of the Center for Aging Services Technologies; Martha E. Pollack, University of Michigan Department of Electrical Engineering and Computer Science, Ann Arbor; Lydia Lundberg, Elite Care-Oatfield Estates, Milwaukie, Oregon; Joseph F. Coughlin, Massachusetts Institute of Technology Age Lab & New England University Transportation Center, Cambridge; Stephen McConnell, Alzheimer's Association, Washington, D.C.; and Ronald Seiler, University of Idaho Center on Disabilities and Human Development, Moscow.

House of Representatives

Chamber Action

Measures Introduced: 7 public bills, H.R. 4218–4224; and 1 resolution, H. Res. 607, were introduced.

Page 7612

Additional Cosponsors: **Page 7612**

Reports Filed: Reports were filed today as follows:

H. Res. 607, providing for consideration of H.R. 4181, to amend the Internal Revenue Code of 1986 to permanently extend the increased standard deduction, and the 15-percent individual income tax rate bracket expansion, for married taxpayers filing joint returns (H. Rept. 108–470);

H. Res. 516, a resolution supporting the goals of National Manufacturing Week, congratulating manufacturers and their employees for their contributions to growth and innovation, and recognizing the challenges facing the manufacturing sector, amended (H. Rept. 108–471); and

H.R. 3866, to amend the Controlled Substances Act to provide increased penalties for anabolic steroid offenses near sports facilities, amended (H. Rept. 108–461 Pt. 2);

H.R. 1914. A bill to provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement (H. Rept. 108–472 Pt. 1);

H.R. 2768. A bill to require the Secretary of the Treasury to mint coins in commemoration of Chief Justice John Marshall (H. Rept. 108–473 Pt. 1);

H.R. 3277. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center (H. Rept. 108–474 Pt. 1); and

H.R. 2179. A bill to enhance the authority of the Securities and Exchange Commission to investigate, punish, and deter securities laws violations, and to improve its ability to return funds to defrauded investors, and for other purposes, amended (H. Rept. 108–475 Pt. 1).

Page 7611

Speaker: Read a letter from the Speaker wherein he appointed Representative Boozman to act as Speaker Pro Tempore for today. **Page 7585**

Recess: The House recessed at 12:57 p.m. and reconvened at 2 p.m. **Page 7588**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Rhode Island Veterans Post Office Building Redesignation Act: H.R. 3942, to redesignate the facility of the United States Postal Service located at 7 Commercial Boulevard in Middletown, Rhode Island, as the "Rhode Island Veterans Post Office Building", by a ⅔ yea-and-nay vote of 395 yeas with none voting "nay", Roll No. 131; **Pages 7590, 7598**

Honoring the life and legacy of Melvin Jones: H. Res. 399, honoring the life and legacy of Melvin Jones and recognizing the contributions of Lions Clubs International, by a ⅔ yea-and-nay vote of 395 yeas with none voting "nay", Roll No. 132; and **Pages 7591, 7599**

Supporting the goals and ideals of Financial Literacy Month: H. Res. 578, supporting the goals and ideals of Financial Literacy Month, by a ⅔ yea-and-nay vote of 391 yeas with none voting "nay", Roll No. 133.

Pages 7594, 7600

Recess: The House recessed at 3:03 p.m. and reconvened at 6:30 p.m. **Page 7598**

Committee Resignation: Read a letter from Representative Tauzin wherein he resigned from the Select Committee on Homeland Security, effective immediately.

Page 7602

Committee Appointment: The Chair announced the Speaker's appointment of Representative Barton of Texas to the Select Committee on Homeland Security.

Page 7602

Discharge Petition: Representative Edwards moved to discharge the Committee on Rules from the consideration of H. Res. 584, to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, to provide for a one-year open season under that plan (Discharge Petition No. 8).

Senate Message: Message received from the Senate today appears on page 7588.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages 7598–7600. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 8:40 p.m.

Committee Meetings

LABOR, HHD, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies continued appropriation hearings. Testimony was heard from public witnesses.

VOCATIONAL EDUCATION EXAMINING SUCCESS

Committee on Education and the Workforce: Subcommittee on Education Reform held a hearing entitled "Examining Success in Vocational Education." Testimony was heard from public witnesses.

NUCLEAR SECURITY

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Nuclear Security: Can DOE Meet Physical Facility Security Requirements?" Testimony was heard from Robin M. Nazzaro, Director, Natural Resources and Environment, GAO; the following officials of the Department of Energy: Linton F. Brooks, Administrator, National Nuclear Security Administration; and Glenn S. Podonsky, Director, Office of Security and Safety Performance Assurance; and a public witness.

INTERNAL REVENUE CODE—PERMANENTLY EXTEND CERTAIN PROVISIONS

Committee on Rules: Granted, by voice vote, a modified closed rule providing 1 hour of debate in the House on H.R. 4181, to amend the Internal Revenue Code of 1986 to permanently extend the increased standard deduction, and the 15-percent individual income tax rate bracket expansion, for married taxpayers filing joint returns, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides that the amendment printed in part A of the Rules Committee report accompanying the resolution shall be considered as adopted, and that the bill shall be considered as read. The rule provides for consideration of the amendment printed in part B of the Rules Committee report accompanying the resolution, if offered by Representative Rangel of New York, or his designee, which shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in part B of the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Weller, Gerlach and Rangel.

RUSSIA

Permanent Select Committee on Intelligence: Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to hold a hearing on Russia. Testimony was heard from departmental witnesses.

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Wednesday, April 28, 2004

Senate

Chamber Action

Routine Proceedings, pages 7706–7892

Measures Introduced: Seven bills and four resolutions were introduced, as follows: S. 2353–2359, S. J. Res. 35, S. Res. 344–345, and S. Con. Res. 101. Page 7755

Measures Passed:

National Motorcycle Safety and Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Res. 168, designating May 2004 as "National Motorcycle Safety and Awareness Month", and the resolution was then agreed to. Page 7890

National Railroad Hall of Fame: Committee on the Judiciary was discharged from further consideration of S. Res. 255, supporting the National Railroad Hall of Fame, Inc., of Galesburg, Illinois, in its endeavor to erect a monument known as the National Railroad Hall of Fame, and the resolution was then agreed to. Page 7890

National Good Neighbor Day: Committee on the Judiciary was discharged from further consideration of S. Res. 340, expressing the sense of the Senate that the President should designate September 26, 2004, as "Na-

tional Good Neighbor Day", and the resolution was then agreed to. **Page 7891**

Dia de los Ninos: Celebrating Young Americans: Committee on the Judiciary was discharged from further consideration of S. Res. 342 designating April 30, 2004, as "Dia de los Ninos: Celebrating Young Americans", and the resolution was then agreed to. **Page 7891**

Internet Tax Non-Discrimination Act: Senate continued consideration of S. 150, to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act, taking action on the following amendments proposed thereto: **Pages 7714, 7736**

Pending:

McCain Amendment No. 3048, in the nature of a substitute. **Pages 7714, 7736**

Daschle Amendment No. 3050 (to the language of the bill proposed to be stricken by Amendment No. 3048), to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence. **Pages 7714, 7736**

Domenici Amendment No. 3051 (to Amendment No. 3050), to enhance energy conservation and research and development and to provide for security and diversity in the energy supply for the American people. **Pages 7714, 7736**

A unanimous-consent agreement was reached providing for further consideration of the bill at 11 a.m., on Thursday, April 29, 2004; providing for one hour for debate, and following the use or yielding back of time, Senate will vote on the motion to invoke cloture on Daschle Amendment No. 3050 (listed above). **Page 7891**

Messages From the House: **Page 7753**

Measures Referred: **Page 7753**

Executive Communications: **Page 7753**

Additional Cosponsors: **Page 7755**

Statements on Introduced Bills/Resolutions: **Page 7757**

Additional Statements: **Page 7751**

Amendments Submitted: **Page 7769**

Authority for Committees to Meet: **Page 7889**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:16 p.m., until 9:30 a.m., on Thursday, April 29, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 7892.)

Committee Meetings

MEDICAL PROGRAMS

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine the state of medical programs in the armed services, focusing on the military system of teaching centers, research and development organizations, health clinics, and field hospitals, including the Force Health Protection, which is a continuum of services designed to create and maintain a healthy and fit military force, after receiving testimony from Lieutenant General James B. Peake, Surgeon General of the Army; Vice Admiral Michael L. Cowan, Surgeon General of the Navy; Lieutenant General George Peach Taylor, Jr., Air Force Surgeon General; Colonel Deborah A. Gutske, Assistant Chief, Army Nurse Corps; Rear Admiral Nancy J. Lescavage, Nurse Corps, U.S. Navy; and Major General Barbara C. Brannon, Assistant Air Force Surgeon General, Nursing Services, and Assistant Air Force Surgeon General, Medical Force Development.

MILITARY FORCE PROTECTION EQUIPMENT

Committee on Armed Services: Committee met in closed session to receive a briefing to discuss the performance of force protection equipment for ground forces in Iraq, including the Up-Armored HMMWV, and potential alternatives to meet force protection needs of the Combatant Commander from General George W. Casey, Jr., USA, Vice Chief of Staff, U.S. Army; and Lieutenant General Richard A. Cody, USA, Deputy Chief of Staff for Operations, G–3.

TELECOMMUNICATIONS POLICY

Committee on Commerce, Science, and Transportation: Committee resumed hearings to examine telecommunications policy, focusing on the future of telecom reform, after receiving testimony from Reed E. Hundt, former Chairman, Federal Communications Commission, Adam D. Thierer, Cato Institute, Charles Freguson, Brookings Institution, and Raymond L. Gifford, Progress and Freedom Foundation, all of Washington, D.C.; and George Gilder, Discovery Institute, Seattle, Washington.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably the following bills:

S. 1071, to authorize the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study on a water conservation project within the Arch Hurley Conservancy District in the State of New Mexico, with an amendment;

S. 1097, to authorize the Secretary of the Interior to implement the Calfed Bay-Delta Program, with an amendment in the nature of a substitute;

S. 1582, to amend the Valles Preservation Act to improve the preservation of the Valles Caldera, with an amendment in the nature of a substitute;

S. 1687, to direct the Secretary of the Interior to conduct a study on the preservation and interpretation of the historic sites of the Manhattan Project for potential inclusion in the National Park System, with an amendment in the nature of a substitute;

S. 1778, to authorize a land conveyance between the United States and the City of Craig, Alaska, with an amendment in the nature of a substitute;

S. 1791, to amend the Lease Lot Conveyance Act of 2002 to provide that the amounts received by the United States under that Act shall be deposited in the reclamation fund;

S. Res. 321, recognizing the loyal service and outstanding contributions of J. Robert Oppenheimer to the United States and calling on the Secretary of Energy to observe the 100th anniversary of Dr. Oppenheimer's birth with appropriate programs at the Department of Energy and the Los Alamos National Laboratory;

H.R. 1521, to provide for additional lands to be included within the boundary of the Johnstown Flood National Memorial in the State of Pennsylvania; and

H.R. 3249, to extend the term of the Forest Counties Payments Committee.

ECONOMIC DEVELOPMENT ADMINISTRATION

Committee on Environment and Public Works: Committee concluded a hearing to examine S. 1134, to reauthorize and improve the programs authorized by the Public Works and Economic Development Act of 1965, after receiving testimony from David A. Sampson, Assistant Secretary of Commerce for Economic Development, Economic Development Administration; James J. Saudade, Vermont Department of Housing and Community Affairs, Montpelier; Gary Gorshing, South Western Oklahoma Development Authority, Burns Flats, on behalf of the National Association of Development Organizations; R. Charles Gatson, Swope Community Builders, Kansas City, Missouri; and Phillip A. Singerman, Maryland Technology Development Corporation, Rockville, on behalf of the International Economic Development Council.

POWER WHEELCHAIR PROGRAM

Committee on Finance: Committee held a hearing to examine fraud and abuse in Medicare's power wheelchair program, focusing on fraudulent schemes and costly and abusive practices that are taking place in the sale of motorized wheelchairs to Medicare and Medicaid recipients, receiving testimony from Dara Corrigan, Acting Principal Deputy Inspector General, and Herbert Kuhn, Director, Center for Medicare Management, Centers for Medicare and Medicaid Services, both of the Department of Health and Human Services; Leslie G. Aronovitz, Director, Health Care, Program Administration and Integrity Issues, General Accounting Office; Laura Cohen, TriWest region of TRICARE, Tucson, Arizona; Henry Claypool, Advancing Independence, Washington, D.C.; Kay Cox, American Association for Homecare, Alexandria, Virginia; and Rebecca Lewandowski, Klamath Falls, Oregon.

Hearings recessed subject to the call.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Jeffrey D. Feltman, of Ohio, to be Ambassador to Lebanon, Thomas Charles Krajeski, of Virginia, to be Ambassador to the Republic of Yemen, Richard LeBaron, of Virginia, to be Ambassador to Kuwait, James Francis Moriarty, of Virginia, to be Ambassador to Nepal, Michele J. Sison, of Maryland, to be Ambassador to the United Arab Emirates, and David Michael Satterfield, of Virginia, to be Ambassador to Jordan, after each nominee testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Constance Berry Newman, to be an Assistant Secretary of State for African Affairs, who was introduced by Senator Stevens and Delegate Holmes Norton; Aubrey Hooks, of Virginia, to be Ambassador to the Republic of Cote d'Ivoire, Thomas Neil Hull III, of New Hampshire, to be Ambassador to Sierra Leone, and Roger A. Meece, of Washington, to be Ambassador to the Congo, after each nominee testified and answered questions in their own behalf.

GOVERNMENT PURCHASE CARDS

Committee on Governmental Affairs: Committee concluded a hearing to examine the use and prevention of abuse of government purchase cards, focusing on efforts to streamline the federal acquisition processes, limited disciplinary actions taken by the Department of Defense relative to the cards, and a continuous monitoring system to limit fraudulent and improper usage, after receiving testimony from Gregory D. Kutz, Director, Financial Management and Assurance, and John J. Ryan, Assistant Director, Office of Special Investigations, both of the General Accounting Office; David K. Steensma, Assistant Inspector General, Contract Management, and Colonel William J. Kelley, Program Director, Data Mining Division, both of the Office of the Inspector General, Department of Defense; and Neal I. Fox, Assistant Commissioner for Commercial Acquisition, Federal Supply Service, General Services Administration.

CHILDREN AND WORKING PARENTS

Committee on Health, Education, Labor, and Pensions: On Thursday, April 22, Subcommittee on Children and Families concluded a hearing to examine working parents and their children, focusing on early childhood education, elder care programs, the Earned Income Tax Credit (EITC), and workplace flexibility, after receiving testimony from Ellen Galinsky, Families and Work Institute, Joy Bunson, JPMorgan Chase, and Carol Evans, Working Mother Media, all of New York, New York; Michael Shum, IBM, White Plains, New York, and Donna M. Klein, Washington, D.C., both on behalf of Corporate Voices for Working Families; Karen Kornbluh, New

America Foundation, and Zoila Martinez and Manuel Martinez, all of Washington, D.C.

CHILDREN AND YOUTH MENTAL HEALTH

Committee on Health, Education, Labor, and Pensions: Subcommittee on Substance Abuse and Mental Health Services concluded a hearing to examine mental health in children and youth, focusing on issues throughout the developmental process, and S. 1704, to amend the Public Health Service Act to establish a State family support grant program to end the practice of parents giving legal custody of their seriously emotionally disturbed children to State agencies for the purpose of obtaining mental health services for those children, after receiving testimony from Joy D. Osofsky, Louisiana State University Health Sciences Center, New Orleans, on behalf of ZERO TO THREE; Marleen Li Chen Wong, Los Angeles Unified School District, and the National Center for Child Traumatic Stress, Van Nuys, California; Louise A. Douce, The Ohio State University, Sunbury; Maryann Davis, University of Massachusetts Medical School, Worcester; Linda Champion, Montgomery, Alabama, on behalf of the National Alliance for the Mentally Ill; Barbara Altenburger, Philadelphia, Pennsylvania, on behalf of the Parents Involved Network, and the Mental Health Association of Southern Pennsylvania.

HEALTHY MARRIAGE

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families concluded a hearing to examine how to promote a healthy marriage, focusing on the Healthy Marriage Initiative, the Temporary Assistance to Needy Families program, and discouraging teen pregnancy, after receiving testimony from Wade F. Horn, Assistant Secretary of Health and Human Service for Children and Families; Barbara Dafoe Whitehead, Rutgers University National Marriage Project, Amherst, Massachusetts; Roland C. Warren, National Fatherhood Initiative, Germantown, Maryland; Frank Keating, American Council of Life Insurers, McLean, Virginia; Stan E. Weed, Institute for Research and Evaluation, Salt Lake City, Utah.

TRIBAL CONTRACT SUPPORT COST

Committee on Indian Affairs: Committee concluded a hearing to examine S. 2172, to make technical amendments to the provisions of the Indian Self Determination and Education Assistance Act relating to contract support costs, after receiving testimony from William A. Sinclair, Director, Office of Self-Governance and Self-Determination, Department of the Interior; Charles W. Grim, Assistant Surgeon General, Director, Indian Health Service, Department of Health and Human Services; W. Ron Allen, Jamestown S'Klallam Tribe, Sequim, Washington, on behalf of the National Congress of American Indians; Chadwick Smith, Cherokee Nation, Tahlequah, Oklahoma; Herbert L. Fenster, McKenna, Long, and Aldridge, LLP, Denver, Colorado; and Lloyd B. Miller, Sonosky, Chambers, Sachse, Miller and Munson, LLP, Anchorage, Alaska.

PLAYWRIGHTS LICENSING ANTITRUST INITIATIVE ACT

Committee on the Judiciary: Committee concluded a hearing to examine S. 2349, to modify the application of the antitrust laws to permit collective development and implementation of a standard contract form for playwrights for the licensing of their plays, focusing on safeguarding the future of American live theater, after receiving testimony from Gerald Schoenfeld, Shubert Organization, Inc., on behalf of League of American Theatres and Producers, Inc., Roger S. Berlind, Berlind Productions, Inc., Stephen Sondheim, and Wendy Wasserstein, all of New York, New York; and Arthur Miller, Roxbury, Connecticut.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 22 public bills, H.R. 4225–4246; 5 resolutions, H. Con. Res. 409 and H. Res. 608–611, were introduced. **Page 7968**

Additional Cosponsors: **Page 7969**

Reports Filed: Reports were filed today as follows:

H.R. 2771, to amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program (H. Rept. 108–476). **Page 7968**

Speaker: Read a letter from the Speaker wherein he appointed Representative Miller of Florida to act as Speaker Pro Tempore for today. **Page 7893**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Surface Transportation Extension Act of 2004, Part II: H.R. 4219, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, by a ⅔ yea-and-nay vote of 410 yeas with none voting "nay", Roll No. 134; **Pages 7896, 7912**

Wilkie D. Ferguson, Jr. United States Courthouse Designation Act: S. 1904, to designate the United States courthouse located at 400 North Miami Avenue in

Miami, Florida, as the "Wilkie D. Ferguson, Jr. United States Courthouse", by a 2/3 yea-and-nay vote of 408 yeas with none voting "nay", Roll No. 135—clearing the measure for the President; **Pages 7903, 7913**

Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby: H. Con. Res. 376, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; **Page 7905**

Ronald Reagan Federal Building Designation Act: S. 2043, to designate a Federal building in Harrisburg, Pennsylvania, as the "Ronald Reagan Federal Building"—clearing the measure for the President; **Page 7906**

Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service: H. Con. Res. 388, amended, authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service; and **Page 7907**

Increased Capital Access for Growing Business Act: H.R. 3170, to amend the Investment Company Act of 1940 to provide incentives for small business investment. **Page 7908**

Recess: The House recessed at 12:23 p.m. and reconvened at 1:50 p.m. **Page 7913**

Permanent Extension of the Marriage Penalty Provisions in the Economic Growth and Tax Relief Reconciliation Act of 2001: The House passed H.R. 4181, to amend the Internal Revenue Code of 1986 to permanently extend the increased standard deduction, and the 15-percent individual income tax rate bracket expansion, for married taxpayers filing joint returns, by a recorded vote of 323 ayes to 95 noes, Roll No. 138. **Page 7913**

The amendment printed in part A of H. Rept. 108–470 was considered as adopted. **Page 7914**

Rejected the Rangel amendment in the nature of a substitute printed in part B of H. Rept. 108–470 by a yea-and-nay vote of 189 yeas to 226 nays, Roll No. 136. **Page 7923**

Rejected the Stenholm motion to recommit the bill to the Committee on Ways and Means with instructions by a yea-and-nay vote of 199 yeas to 220 nays, Roll No. 137. **Page 7932**

Agreed to amend the title so as to read: to amend the Internal Revenue Code of 1986 to permanently extend the marriage penalty relief provided under the Economic Growth and Tax Relief Reconciliation Act of 2001. **Page 7934**

H. Res. 607, the rule providing for consideration of the bill was agreed to by a voice vote. **Page 7909**

Meeting Hour: Agreed that when the House adjourn on Friday, April 30 it adjourn to meet at 12:30 p.m. on Tuesday, May 4 for Morning Hour debate. **Page 7936**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, May 5. **Page 7936**

Commission on Security and Cooperation in Europe—Appointment: The Chair announced the Speaker's appointment of Representative McIntyre to the Commission on Security and Cooperation in Europe. **Page 7936**

Senate Message: Message received from the Senate today appears on page 7893.

Senate Referral: S. 2315 was referred to the Committee on Energy and Commerce. **Page 7967**

Quorum Calls—Votes: Four yea-and-nay votes and one recorded vote developed during the proceedings today and appear on pages 7912–13 and 7931–34. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:58 p.m.

Committee Meetings

AGRICULTURAL TRADE NEGOTIATIONS

Committee on Agriculture: Held a hearing to review Agricultural Trade Negotiations. Testimony was heard from Ann M. Veneman, Secretary of Agriculture; and Robert B. Zoellick, U.S. Trade Representative.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held a hearing on Global Disease. Testimony was heard from Julie L. Gerberding, M.D., Director, Centers for Disease Control and Prevention, Department of Health and Human Services.

LEGISLATIVE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative held a hearing on GPO. Testimony was heard from the following officials of the GPO: Bruce R. James, Public Printer of the United States; William H. Turri, Deputy Public Printer; Steven T. Shedd, Chief Financial Officer; and Marc A. Nichols, Inspector General.

The Subcommittee also held a hearing on the Capitol Police. Testimony was heard from the following officials of the Capitol Police Board: Wilson Livingood, Sergeant at Arms, U.S. House of Representatives, Chairman; William H. Pickle, Sergeant at Arms, U.S. Senate; Alan M. Hantman, Architect of the Capitol; and Terrance W. Gainer, Chief, U.S. Capitol Police; and Members of the Board.

TRANSPORTATION, TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury and Independent Agencies held a hearing

on the Federal Transit Administration. Testimony was heard from Jennifer L. Dorn, Administrator, Federal Transit Administration, Department of Transportation.

LABOR DEPARTMENT'S FINAL OVERTIME REGULATIONS WORKERS AND EMPLOYERS

Committee on Education and the Workforce: Held a hearing entitled "Assessing the Impact of the Labor Department's Final Overtime Regulations on Workers and Employers Overtime Regulations." Testimony was heard from Elaine Chao, Secretary of Labor; and public witnesses.

SATELLITE HOME VIEWER IMPROVEMENT ACT REAUTHORIZATION

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet approved for full Committee action, as amended, a measure reauthorizing the Satellite Home Viewer Improvement Act.

TRIA REVIEW—EFFECT ON THE ECONOMY

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprise and the Subcommittee on Oversight and Investigations held a joint hearing entitled: "A Review of TRIA and Its Effect on the Economy: Helping America Move Forward." Testimony was heard from Wayne A. Abernathy, Assistant Secretary, Financial Institutions, Department of the Treasury; Richard J. Hillman, Director, Financial Markets and Community Investment, GAO; and Gregory V. Serio, Superintendent, Department of Insurance, State of New York.

PRESIDENTIAL $1 COIN ACT OF 2004; COIN AND CURRENCY DESIGN AND COUNTERFEITING ISSUES

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade and Technology approved for full Committee action, as amended, H.R. 3916, Presidential $1 Coin Act of 2004.

Prior to this action, the Subcommittee held a hearing entitled "Money Matters: Coin and Currency Design and Counterfeiting Issues. Testimony was heard from the following officials of the Department of the Treasury: Henrietta H. Fore, Director, United States Mint; Thomas A. Ferguson, Director, Bureau of Engraving and Printing; Bruce Townsend, Deputy Assistant Director, Office of Investigations, U.S. Secret Service, Department of Homeland Security; Jeffrey C. Marquardt, Associate Director, Reserve Bank Operations and Payments Systems, Board of Governors, Federal Reserve System; and public witnesses.

OVERSIGHT—GPO

Committee on House Administration: Held a oversight hearing on the GPO. Testimony was heard from the following officials of the GPO: Bruce T. James, Public Printer of the United States; and Marc A. Nichols, Inspector General; Linda D. Koontz, Director, Information Management Issues, GAO; and public witnesses.

UN OIL-FOR-FOOD PROGRAM

Committee on International Relations: Held a hearing on the United Nations Oil-for-Food Program: Issues of Accountability and Transparency. Testimony was heard from Joseph A. Christoff, Director, International Affairs and Trade, GAO; and public witnesses.

NORTH KOREA: HUMAN RIGHTS, REFUGEES AND HUMANITARIAN CHALLENGES

Committee on International Relations: Subcommittee on Asia and the Pacific and the Subcommittee on International Terrorism, Nonproliferation and Human Rights held a joint hearing on North Korea: Human Rights, Refugees and Humanitarian Challenges. Testimony was heard from public witnesses.

U.S. GOVERNMENT AND THE EUROPEAN UNION RECOGNIZING 50 YEARS OF RELATIONS

Committee on International Relations: Subcommittee on Europe approved for full Committee action, as amended, H. Res. 577, Recognizing 50 years of relations between the United States Government and the European Union.

CRITICAL HABITAT REFORM ACT

Committee on Resources: Held a hearing on H.R. 2933, Critical Habitat Reform Act of 2003. Testimony was heard from Judge Craig Manson, Assistant Secretary, Fish, Wildlife and Parks, Department of the Interior; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on the following bills: H.R. 3744, To authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Ozark-St. Francis and Ouachita National Forests and to use funds derived from the sale or exchange to acquire, construct, or improve administrative sites; S. 33, To authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Ozark-St. Francis and Ouachita National Forests and to use funds derived from the sale or exchange to acquire, construct, or improve administrative sites; S. 434, Idaho Panhandle National Forest Improvement Act of 2003; S. 435, Sandpoint Land and Facilities Conveyance Act of 2003; and S. 1537, To direct the Secretary of Agriculture to convey to the New Hope Cemetery Association certain land in the State of Arkansas for use as a cemetery. Testimony was heard from Representative Ross; and Tom Thompson, Deputy Chief, National Forest System, USDA.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY BUDGET FISCAL YEAR 2005.

Committee on Science: Subcommittee on Environment, Technology, and Standards held a hearing entitled "Fiscal

Year 2005 National Institute of Standards and Technology Budget: Views from Industry." Testimony was heard from public witnesses.

INTEGRATED DEEPWATER SYSTEM

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing on Integrated Deepwater System. Testimony was heard from VADM Thomas J. Barrett, USCG, Vice Commandant, U.S. Coast Guard. Department of Homeland Security; and public witnesses.

OVERSIGHT—AGING WATER SUPPLY INFRASTRUCTURE

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held an oversight hearing on Aging Water Supply Infrastructure. Testimony was heard from public witnesses.

DVA—RESEARCH ON ALZHEIMER'S, DIABETES AND PARKINSON'S DISEASES

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing on the Department of Veterans Affairs' research on Alzheimer's, Diabetes and Parkinson's diseases. Testimony was heard from Judith Salerno, M.D., Deputy Director, National Institute on Aging, NIH, Department of Health and Human Services; and the following officials of the Department of Veterans Affairs: Michael Kussman, M.D., Acting Deputy Under Secretary for Health and Timothy J. O'Leary, M.D., Director, Biomedical Laboratory R&D Services, Office of Chief Research and Development Officer, both with the Veterans Health Administration; Franklin J. Zieve, M.D., Associate Chief of Staff for Research, Richmond VA Medical Center; Robert Ferrante, Director, Experimental Neuropathology Program, Geriatric Research, Education and Clinical Center, Bedford VA Medical Center; and Mary Sano, M.D., Acting Chief of Staff for Research, Bronx VA Medical Center.

OVERSIGHT DOMESTIC PREPAREDNESS FIRST RESPONDER ASSISTANCE PROGRAMS

Select Committee on Homeland Security: Subcommittee on Emergency Preparedness and Response held an oversight hearing entitled "The Office for Domestic Preparedness First Responder Assistance Programs." Testimony was heard from C. Suzanne Mencer, Director, Office for Domestic Preparedness, Department of Homeland Security; and Dennis R. Schrader, Director, Governor's Office of Homeland Security, State of Maryland.

Joint Meetings

CONSUMER-DIRECTED DOCTORING

Joint Economic Committee: Committee concluded a hearing to examine consumer-directed doctoring, focusing on alternatives to the traditional third-party payer health care system, innovative and entrepreneurial doctors who respond to gaps in the current medical care system, and reducing medical liability pressures, after receiving testimony from Robert S. Berry, PATMOS EmergiClinic, Inc., Greeneville, Tennessee; Alieta Eck, Zarephath Health Center, Zarephath, New Jersey; Bernard Kaminetsky, Colton and Kaminetsky, Boca Raton, Florida; and Robert A. Berenson, Urban Institute, Washington, D.C.

♦♦♦♦♦♦♦♦♦♦♦♦

Thursday, April 29, 2004

Senate

Chamber Action

Routine Proceedings, pages 8001–8106

Measures Introduced: Fifteen bills and three resolutions were introduced, as follows: S. 2360–2374, S.J. Res. 36, and S. Res. 346–347. **Page 8070**

Measures Reported:

S. 1486, to amend the Toxic Substances Control Act and the Federal Insecticide, Fungicide, and Rodenticide Act to implement the Stockholm Convention on Persistent Organic Pollutants, the Protocol on Persistent Organic Pollutants to the Convention on Long-Range Transboundary Air Pollution, and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, with an amendment in the nature of a substitute. (S. Rept. No. 108–256)

H.R. 1561, to amend title 35, United States Code, with respect to patent fees.

S. Res. 332, observing the tenth anniversary of the Rwandan Genocide of 1994.

S. Res. 334, designating May 2004 as National Electrical Safety Month.

S. Res. 344, welcoming the Prime Minister of Singapore on the occasion of his visit to the United States, expressing gratitude to the Government of Singapore for its support in the reconstruction of Iraq and its strong cooperation with the United States in the campaign against terrorism, and reaffirming the commitment of the Senate to the continued expansion of friendship and cooperation between the United States and Singapore.

S. 1932, to provide criminal penalties for unauthorized recording of motion pictures in a motion picture exhibition facility, to provide criminal and civil penalties for

unauthorized distribution of commercial prerelease copyrighted works, with an amendment in the nature of a substitute.

S. 2092, to address the participation of Taiwan in the World Health Organization, with an amendment in the nature of a substitute.

S. 2107, to authorize an annual appropriations of $10,000,000 for mental health courts through fiscal year 2009.

S. 2192, to amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises.

S. 2237, to amend chapter 5 of title 17, United States Code, to authorize civil copyright enforcement by the Attorney General.

S. 2264, to require a report on the conflict in Uganda.

S. 2292, to require a report on acts of anti-Semitism around the world, with amendments.

S.J. Res. 33, expressing support for freedom in Hong Kong, with an amendment in the nature of a substitute and with an amended preamble.

S. Con. Res. 100, celebrating 10 years of majority rule in the Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country.

Page 8064

Measures Passed:

Internet Tax Non-discrimination Act: By 93 yeas to 3 nays (Vote No. 77), Senate passed S. 150, to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act, after taking action on the following amendments proposed thereto:

Page 8011

Adopted:

Lott Amendment No. 3082 (to Amendment No. 3048), to extend the 1998 grandfather clause from 3 years to 4 years. **Page 8034**

McCain (for Lautenberg) Amendment No. 3104 (to Amendment No. 3048), to require the Comptroller General to study the impact of the Internet Tax Freedom Act on State and local governments and on broadband deployment. **Page 8035**

McCain Amendment No. 3105 (to Amendment No. 3048), to provide for an exception for voice or similar services over the Internet. **Page 8038**

McCain Amendment No. 3048, in the nature of a substitute. **Page 8043**

Rejected:

Feinstein Modified Amendment No. 3052 (to Amendment No. 3048), to extend the grandfather clauses for the term of the moratorium extension. (By 59 yeas to 37 nays (Vote No. 76), Senate tabled the amendment.) **Page 8039**

During consideration of this measure today, Senate also took the following action:

By 40 yeas to 59 nays (Vote No. 73), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on Daschle Amendment No. 3050 (listed below). **Page 8018**

By 55 yeas to 43 nays (Vote No. 74), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on Domenici Amendment No. 3051 (to Amendment No. 3050) (listed below). **Page 8021**

By 64 yeas to 34 nays (Vote No. 75), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on McCain Amendment No. 3048 (listed above). **Page 8022**

Chair sustained a point of order that Daschle Amendment No. 3050 (to the language of the bill proposed to be stricken by Amendment No. 3048), to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence, was not germane to the language of the bill proposed to be stricken by McCain Amendment No. 3048, and the amendment thus fell. **Page 8023**

Domenici Amendment No. 3051 (to Amendment No. 3050), to enhance energy conservation and research and development and to provide for security and diversity in the energy supply for the American people, fell when the point of order against Daschle Amendment No. 3050 was sustained. **Page 8023**

Surface Transportation Extension Act: Senate passed H.R. 4219, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, clearing the measure for the President. **Page 8097**

Women's Sustainability Recovery Act: Committee on Small Business and Entrepreneurship was discharged from further consideration of S. 2267, to amend section 29(k) of the Small Business Act to establish funding priorities for women's business centers, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 8098**

Frist (for Snowe) Amendment No. 3106, to make a technical correction. **Page 8100**

Commending University of Minnesota Women's Ice Hockey: Senate agreed to S. Res. 346, commending the University of Minnesota Golden Gophers for winning the 2003–2004 National Collegiate Athletic Association Division I National Collegiate Women's Ice Hockey Championship. **Page 8100**

Commending Tom Lundregan: Senate agreed to S. Res. 347, to commend Senate Enrolling Clerk Thomas J.

Lundregan on Thirty-Six Years of Service to the United States Government. Page 8101

Soap Box Derby: Senate agreed to H. Con. Res. 376, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby. Page 8102

Jumpstart Our Business Strength (JOBS) Act—Agreement: A unanimous-consent agreement was reached providing for further consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, at 2 p.m., on Monday, May 3, 2004. Page 8102

Nominations Confirmed: Senate confirmed the following nominations:

30 Air Force nominations in the rank of general.

61 Army nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service, Marine Corps, Navy. Pages 8097, 8105

Nominations Received: Senate received the following nominations:

Joyce A. Barr, of Washington, to be Ambassador to the Republic of Namibia.

William R. Brownfield, of Texas, to be Ambassador to the Bolivarian Republic of Venezuela.

June Carter Perry, of the District of Columbia, to be Ambassador to the Kingdom of Lesotho.

Charles P. Ries, of the District of Columbia, to be Ambassador to Greece.

R. Barrie Walkley, of California, to be Ambassador to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe.

Edward Brehm, of Minnesota, to be a Member of the Board of Directors of the African Development Foundation for a term expiring November 13, 2007.

2 Marine Corps nominations in the rank of general.

5 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, Navy. Page 8103

Messages From the House: Page 8063

Measures Referred: Page 8063

Measures Read First Time: Page 8063

Executive Communications: Page 8063

Executive Reports of Committee: Page 8065

Additional Cosponsors: Page 8071

Statements on Introduced Bills/Resolutions: Page 8073

Additional Statements: Page 8061

Amendments Submitted: Page 8089

Authority for Committees to Meet: Page 8096

Record Votes: Five record votes were taken today. (Total—77) Pages 8018, 8021, 8022, 8043, 8047

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:24 p.m., until 1 p.m., on Monday, May 3, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 8102.)

Committee Meetings

INTELLECTUAL PROPERTY RIGHTS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and the Judiciary held a hearing to examine intellectual property rights, focusing on the problems of counterfeiting and piracy, receiving testimony from Jack Valenti, Motion Picture Association of America, Inc., Douglas Lowenstein, Entertainment Software Association, Robert W. Holleyman, II, Business Software Alliance, and Mitch Bainwol, Recording Industry Association of America, all of Washington, D.C.

Hearings recessed subject to the call of the Chair.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 3,379 nominations in the Army, Navy, Air Force, and Marine Corps.

TERRORIST FINANCING

Committee on Banking, Housing, and Urban Affairs: Committee held a hearing to examine the Treasury Department's role in the international war against terrorist financing and financial crime, focusing on money laundering and counter-terrorist financing policies, sharing financial information with law enforcement and foreign counterparts, implementing economic sanctions, and enforcing relevant regulations and laws related to these missions, receiving testimony from Samuel W. Bodman, Deputy Secretary, William J. Fox, Director, Financial Crimes Enforcement Network, R. Richard Newcomb, Director, Office of Foreign Assets Control, and Nancy J. Jardini, Chief of Criminal Investigation, Internal Revenue Service, all of the Department of the Treasury.

Hearing recessed subject to the call of the Chair.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Romolo A. Bernardi, of New York, to be Deputy Secretary, Dennis C. Shea, of Virginia, to be Assistant Secretary for Policy Development and Research, and Cathy M. MacFarlane, of Virginia, to be Assistant Secretary for Public Affairs, all of the Department of Housing and Urban Development.

NOAA: BUDGET

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Fisheries, and Coast Guard con-

cluded an oversight hearing to examine the President's proposed budget request for fiscal year 2005 for the National Oceanic and Atmospheric Administration (NOAA), after receiving testimony from Vice Admiral Conrad C. Lautenbacher, Jr., U.S. Navy (Ret.), Under Secretary of Commerce for Oceans and Atmosphere, and Administrator, NOAA.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. Con. Res. 100, celebrating 10 years of majority rule in the Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country;

S. 2264, to require a report on the conflict in Uganda;

S. Res. 332, observing the tenth anniversary of the Rwandan Genocide of 1994;

S. Res. 344, welcoming the Prime Minister of Singapore, His Excellency Goh Chok Tong, on the occasion of his visit to the United States, expressing gratitude to the Government of Singapore for its strong cooperation with the United States in the campaign against terrorism, its support in the reconstruction of Iraq and reaffirming the commitment of Congress to the continued expansion of friendship and cooperation between the United States and Singapore;

S. 2092, to address the participation of Taiwan in the World Health Organization, with an amendment in the nature of a substitute;

S.J. Res. 33, expressing support for freedom in Hong Kong, with an amendment in the nature of a substitute;

S. Con. Res. 99, condemning the Government of the Republic of the Sudan for its participation and complicity in the attacks against innocent civilians in the impoverished Darfur region of western Sudan, with an amendment in the nature of a substitute;

S. 2292, to require a report on acts of anti-Semitism around the world, with amendments;

Additional Protocol to Investment Treaty with Romania (Treaty Doc. 108–13);

Additional Protocol Amending Investment Treaty with Bulgaria (Treaty Doc. 108–15);

Investment Protocol with Estonia (Treaty Doc. 108–17);

Additional Investment Protocol with the Czech Republic (Treaty Doc. 108–18);

Additional Investment Protocol with the Slovak Republic (Treaty Doc. 108–19);

Additional Investment Protocol with Latvia (Treaty Doc. 108–20);

Additional Investment Protocol with Lithuania (Treaty Doc. 108–21);

Additional Protocol Concerning Business and Economic Relations with Poland (Treaty Doc. 108–22); and

The nominations of Paul V. Applegarth, of Connecticut, to be Chief Executive Officer, Millennium Challenge Corporation, Victor Henderson Ashe, of Tennessee, to be Ambassador to the Republic of Poland, Miles T. Bivins, of Texas, to be Ambassador to Sweden, John Campbell, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Federal Republic of Nigeria, Jack Dyer Crouch II, of Missouri, to be Ambassador to Romania, John J. Danilovich, of California, to be Ambassador to the Federative Republic of Brazil, Scott H. DeLisi, of Minnesota, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador to the State of Eritrea, Jendayi Elizabeth Frazer, of Virginia, to be Ambassador to the Republic of South Africa, Patricia M. Haslach, of Oregon, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador to the Lao People's Democratic Republic, Christopher R. Hill, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Republic of Korea, Craig A. Kelly, of California, a Career Member of the Senior Foreign Service, Class of Minister Counselor, to be Ambassador to the Republic of Chile, Earle I. Mack, of New York, to be Ambassador to the Republic of Finland, Michael W. Marine, of Vermont, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Socialist Republic of Vietnam, Lauren Moriarty, of Hawaii, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during her tenure of service as United States Senior Official to the Asia-Pacific Economic Cooperation Forum, Constance Berry Newman, Assistant Secretary of State (African Affairs), to be a Member of the Board of Directors of the African Development Foundation, Roger Francisco Noriega, of Kansas, to be a Member of the Board of Directors of the Inter-American Foundation, John M. Ordway, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Republic of Kazakhstan, Michael Christian Polt, of Tennessee, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to Serbia and Montenegro, Mitchell B. Reiss, of Virginia, for the rank of Ambassador during his tenure of service as Special Envoy for Northern Ireland, Thomas Bolling Robertson, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador to the Republic of Slovenia, Fayza Veronique Boulad Rodman, of the District of Columbia, to be a Member of the Broadcasting Board of Governors, Marc McGowan Wall, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Republic of Chad, James Francis Moriarty, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Kingdom of Nepal, Thomas Charles

Krajeski, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador to the Republic of Yemen, Michele J. Sison, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the United Arab Emirates, Richard LeBaron, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the State of Kuwait, Jeffrey D. Feltman, of Ohio, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador to the Republic of Lebanon, David Michael Satterfield, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Hashemite Kingdom of Jordan, John D. Negroponte, of New York, to be Ambassador to Iraq, and Constance Berry Newman, of Illinois, to be an Assistant Secretary of State for African Affairs, Aubrey Hooks, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Republic of Cote d'Ivoire, Thomas Neil Hull III, of New Hampshire, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Republic of Sierra Leone, and Roger A. Meece, of Washington, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Democratic Republic of the Congo, and certain Foreign Service Officer Promotion lists.

NOMINATIONS

Committee on Governmental Affairs: Committee concluded a hearing to examine the nomination of Dawn A. Tisdale, of Texas, to be a Commissioner of the Postal Rate Commission, who was introduced by Representative Eddie Bernice Johnson, after the nominee testified and answered questions in her own behalf.

NOMINATIONS

Committee on Governmental Affairs: Committee concluded a hearing to examine the nomination of David Safavian, of Michigan, to be Administrator for Federal Procurement Policy, Office of Management and Budget, who was introduced by Representatives Conyers and Cannon, after the nominee testified and answered questions in his own behalf.

NATIVE AMERICAN FISH AND WILDLIFE

Committee on Indian Affairs: Committee concluded a hearing to examine S. 2301, to improve the management of Indian fish and wildlife and gathering resources, after receiving testimony from Billy Frank, Jr., Northwest Indian Fisheries Commission, Olympia, Washington; Olney Patt, Jr., Columbia River Inter-Tribal Fish Commission, Portland, Oregon; Millard J. (Sonny) Myers, 1854 Authority, Duluth, Minnesota; James E. Zorn, Great Lakes Indian Fish and Wildlife Commission, Odanah, Wisconsin; Ira New Breast, Native American Fish and Wildlife Society, Broomfield, Colorado; Randy Mayo, Stevens Village IRA Council, Stevens Village, Alaska; Gordon Jackson, Central Council Tlingit Haida Indian Tribes of Alaska, Juneau; and Ervin Carlson, Inter Tribal Bison Cooperative, Rapid City, South Dakota.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 2107, to authorize an annual appropriations of $10,000,000 for mental health courts through fiscal year 2009,

S. 2192, to amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises;

S. 2237, to amend chapter 5 of title 17, United States Code, to authorize civil copyright enforcement by the Attorney General;

S. 1932, to provide criminal penalties for unauthorized recording of motion pictures in a motion picture exhibition facility, to provide criminal and civil penalties for unauthorized distribution of commercial prerelease copyrighted works, with an amendment in the nature of a substitute;

H.R. 1561, to amend title 35, United States Code, with respect to patent fees;

S. Res. 334, designating May 2004 as National Electrical Safety Month; and

The nominations of William Duane Benton, of Missouri, to be United States Circuit Judge for the Eighth Circuit, Robert Bryan Harwell, to be United States District Judge for the District of South Carolina, George P. Schiavelli, to be United States District Judge for the Central District of California, and Curtis V. Gomez, to be Judge for the District Court of the Virgin Islands.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to mark up proposed legislation authorizing funds for fiscal year 2005 for the intelligence community, but did not complete consideration thereon, and will meet again on Tuesday, May 4, 2004.

House of Representatives

Chamber Action

Measures Introduced: 4 public bills, H.R. 4247–4250; and; 4 resolutions, H.J. Res. 93–95; and H. Res. 612, were introduced. **Page 7999**

Additional Cosponsors: **Page 8000**

Reports Filed: There were no reports filed today.

Chaplain: The prayer was offered today by Rev. Dr. Nathan D. Baxter, Rector, St. James Episcopal Church in Lancaster, Pennsylvania. **Page 7997**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Thornberry to act as Speaker Pro Tempore to sign enrolled bills and joint resolutions through May 4, 2004. Page 7997

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:10 a.m.

Committee Meetings

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing and Related Programs held a hearing on Security Assistance Budget Request. Testimony was heard from Richard L. Armitage, Deputy Secretary, Department of State; and Paul D. Wolfowitz, Deputy Secretary, Department of Defense.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Substance Abuse and Mental Health Research and Services. Testimony was heard from Charles G. Curiem, Administrator, Substance Abuse and Mental Health Services Administration, NIH, Department of Health and Human Services.

TRANSPORTATION, TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury, and Independent Agencies held a hearing on the Federal Highway Administration (Environmental Streamlining). Testimony was heard from Mary Peters, Administrator, Federal Highway Administration, Department of Transportation.

AFGHANISTAN: SECURITY AND RECONSTRUCTION

Committee on Armed Services: Held a hearing on Afghanistan: Security and Reconstruction. Testimony was heard from the following officials of the Department of Defense: Peter Rodman, Assistant Secretary, International Security Affairs; and LTG Walter Sharp, USA, Director, Strategic Plans and Policy, The Joint Chiefs of Staff; and Ambassador William Taylor, Coordinator for Afghanistan, Department of State.

DEFINED BENEFIT PENSION SYSTEM—REFORM AND STRENGTHEN

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing entitled "Examining Long-Term Solutions to Reform and Strengthen the Defined Benefit Pension System." Testimony was heard from public witnesses.

SPYWARE

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled "Spyware: What You Don't Know Can Hurt You." Testimony was heard from the following officials of the FTC: Mozelle W. Thompson, Commissioner; and J. Howard Beales III, Director, Bureau of Consumer Protection; and public witnesses.

ULTRADEEP WATER RESEARCH AND DEVELOPMENT

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "Ultradeep Water Research and Development: What Are the Benefits?" Testimony was heard from Representatives DeLay and Sandlin; Howard Gruenspecht, Deputy Administrator, Energy Information Administration, Department of Energy; and public witnesses.

TRANSFORMING THE NATIONAL GUARD: RESOURCING FOR READINESS

Committee on Government Reform: Held a hearing entitled "Transforming the National Guard: Resourcing for Readiness." Testimony was heard from the following officials of the Department of Defense: Paul McHale, Assistant Secretary, Homeland Security; Thomas F. Hall, Assistant Secretary, Reserve Affairs; LTG H. Steven Blum, USA, Chief, National Guard Bureau; and MG John A. Love, USAF, Special Assistant to Combatant Commander for National Guard Affairs, U.S. Northern Command; Janet A. St. Laurent, Director, Defense Capabilities and Management, GAO; and the following Adjutant Generals: Wayne Marty, USA, State of Texas; MG Timothy J. Lowenberg, USAF, State of Washington; and MG Bruce Tuxill, USAF, State of Maryland.

DIVERSITY VISA PROGRAM

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Claims held an oversight hearing entitled "The Diversity Visa Program, and Its Susceptibility to Fraud and Abuse." Testimony was heard from Anne W. Patterson, Deputy Inspector General, Department of State; and public witnesses.

OVERSIGHT—INTERNATIONAL ASPECTS OF FISH AND WILDLIFE CONSERVATION MANAGEMENT

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held an oversight hearing on the International Aspects of Fish and Wildlife Conservation and Management. Testimony was heard from David A. Balton, Deputy Assistant Secretary, Ocean and Fisheries, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State; William T. Hogarth, Assistant Administrator, Fisheries, National Marine Fisheries Service, NOAA, Department of Commerce; Kenneth B. Stansell, Assistant Director, Inter-

national Affairs, U.S. Fish and Wildlife Service, Department of the Interior; and a public witness.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held a hearing on the following bills: H.R. 3638, Redwood National Park Boundary Adjustment Act of 2003; H.R. 3932, To amend Public Law 99–338 to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project; and S. 144, Noxious Weed Control Act of 2003. Testimony was heard from Senator Craig; the following officials of the Department of the Interior: Don Murphy, Deputy Director, National Park Service; and Scott Cameron, Deputy Assistant Secretary, Performance and Management; Brenda Waters, Noxious Weed Coordinator, Department of Agriculture, State of Idaho; and public witnesses.

CONTINUITY OF CONGRESS—INCAPACITATION OF MEMBERS AND THE QUORUM REQUIREMENT

Committee on Rules: Held a hearing to address mass incapacitation of Members and the quorum requirement in the context of the Continuity of Congress. Testimony was heard from the following officials of the Office of the Parliamentarian: Charles W. Johnson, III, Parliamentarian; John Sullivan and Tom Duncan, both Deputy Parliamentarians; RADM John Eisold, M.D., USN, Attending Physician to Congress and Rear Admiral, Medical Corps, U.S. Navy; and Walter Dellinger, former Acting Solicitor General of the United States.

FEDERAL MINIMUM WAGE INCREASE—WOULD IT HELP OR HINDER SMALL BUSINESS

Committee on Small Business: Subcommittee on Workforce, Empowerment and Government Programs held a hearing on Would an Increase in the Federal Minimum Wage Help or Hinder Small Business? Testimony was heard from public witnesses.

THE CAPE TOWN TREATY AND THE COMMERCIAL AVIATION MANPADS DEFENSE ACT; OVERSIGHT—THE CAPE TOWN TREATY

Committee on Transportation and Infrastructure: Subcommittee on Aviation approved for full Committee action the following bills: H.R. 4226, The Cape Town Treaty Implementation Act of 2004; and H.R. 4056, Commercial Aviation MANPADS Defense Act of 2004.

Prior to this action, the Subcommittee held an oversight hearing on The Cape Town Treaty. Testimony was heard from Karan K. Bhatia, Assistant Secretary, Aviation and International Affairs, Department of Transportation.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Subcommittee on Benefits held a hearing on the following measures: H.R. 348, Prisoners of War Benefits Act of 2003; H.R. 843, Injured Veterans Benefits Eligibility Act of 2003; H.R. 1735, To amend title 38, United States Code, to increase the maximum amount of a home loan guarantee available to a veteran; H.R. 2206, Prisoner of War/Missing in Action National Memorial Act; H.R. 2612, Veterans Adapted Housing Expansion Act of 2003; H.R. 4065, Veterans Housing Affordability Act of 2004; H.R. 3936, To amend title 38, United States Code, to authorize the principal office of the United States Court of Appeals for Veterans Claims to be at any location in the Washington, D.C., metropolitan area, rather than only in the District of Columbia, and expressing the sense of Congress that a dedicated Veterans Courthouse and Justice Center should be provided for that Court and those it serves and should be located, if feasible, at a site owned by the United States that is part of or proximate to the Pentagon Reservation; H.R. 4172, to amend title 38, United States Code, to codify certain additional diseases as establishing a presumption of service-connection when occurring in veterans exposed to ionizing radiation during active military, naval, or air service; H.R. 4173, To direct the Secretary of Veterans Affairs to contract for a report on employment placement, retention, and advancement of recently separated servicemembers; and a measure to create an open period for certain active duty servicemembers to elect to participate in the program of basic educational assistance under the Montgomery GI Bill. Testimony was heard from Representatives Calvert, Michaud, Ginny Brown-Waite of Florida, Davis of California and Reyes; Kenneth B. Kramer, Chief Judge, U.S. Court of Appeals for Veterans Claims; Robert Epley, Associate Deputy Under Secretary, Policy and Program Management, Veterans Benefits Administration, Department of Veterans Affairs; William Carr, Acting Deputy Under Secretary, Military Personnel Policy, Department of Defense; and representatives of veterans organizations.

SSI PROGRAM

Committee on Ways and Means: Subcommittee on Human Resources held a hearing on the Supplemental Security Income Program. Testimony was heard from Jo Anne B. Barnhart, Commissioner, SSA.

TRADE WITH SUB-SAHARAN AFRICA; AFOA ACCELERATION ACT

Committee on Ways and Means: Subcommittee on Trade held a hearing on trade with sub-Saharan Africa and H.R. 4103, AGOA Acceleration Act of 2004. Testimony was heard from Representative Royce; and public witnesses.

Friday, April 30, 2004

Senate

Chamber Action

The Senate was not in session today. It will next meet on Monday, May 3, 2004, at 1 p.m.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 7 public bills, H.R. 4251–4257; and 8 resolutions, H. Con. Res. 410–412, and H. Res. 613–617 were introduced. **Page 8118**

Additional Cosponsors: **Page 8119**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Thornberry to act as Speaker Pro Tempore for today. **Page 8117**

Senate Message: Message received from the Senate today appears on page 8117.

Senate Referrals: S. 150 was ordered held at the desk and S. 2267 was referred to the Committee on Small Business. **Page 8117**

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:03 a.m.

Committee Meetings

No committee meetings were held.

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Monday, May 3, 2004

Senate

Chamber Action

Routine Proceedings, pages 8125–78

Measures Introduced: One bill and two resolutions were introduced, as follows: S. 2375, S. Res. 348, and S. Con. Res. 102. **Page 8166**

Measures Passed:

National Electrical Safety Month: Senate agreed to S. Res. 334, designating May 2004 as National Electrical Safety Month. **Page 8177**

Welcoming Prime Minister of Singapore: Senate agreed to S. Res. 344, welcoming the Prime Minister of Singapore on the occasion of his visit to the United States, expressing gratitude to the Government of Singapore for its support in the reconstruction of Iraq and its strong cooperation with the United States in the campaign against terrorism, and reaffirming the commitment of the Senate to the continued expansion of friendship and cooperation between the United States and Singapore. **Page 8177**

Jumpstart Our Business Strength (JOBS) Act: Senate resumed consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, taking action on the following amendments proposed thereto: **Page 8135**

Pending:

Harkin Amendment No. 3107, to amend the Fair Labor Standards Act of 1938 to clarify provisions relating to overtime pay. **Page 8140**

Collins Amendment No. 3108, to provide for a manufacturer's jobs credit. **Page 8151**

Wyden Amendment No. 3109, to provide trade adjustment assistance for service workers. **Page 8152**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at 9:45 a.m., on Tuesday, May 4, 2004. **Page 8177**

Appointments:

HELP Around the Globe Commission: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108–199, Title VI, Section 637, appointed the following individual to serve as a member of the Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission: Dr. Marty LaVor of Virginia. **Page 8177**

Nominations Received: Senate received the following nominations:

1 Air Force nomination in the rank of general.

1 Army nomination in the rank of general.

1 Navy nomination in the rank of admiral. **Page 8178**

Messages From the House: **Page 8165**

Measures Placed on Calendar: **Page 8165**

Enrolled Bills Presented: **Page 8165**

Executive Communications: **Page 8165**

Additional Cosponsors: **Page 8166**

Statements on Introduced Bills/Resolutions: **Page 8168**

Additional Statements: Page 8163

Amendments Submitted: Page 8169

Privilege of the Floor: Page 8176

Adjournment: Senate convened at 1 p.m., and adjourned at 6:56 p.m., until 9:45 a.m., on Tuesday, May 4, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 8177.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 12:30 p.m. on Tuesday, May 4, for Morning Hour debate and 2 p.m. for legislative business.

Committee Meetings

No committee meetings were held.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED EIGHTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 20, 2004 through April 30, 2004

	Senate	*House*	*Total*
Days in Session	53	43	..
Time in Session	405 hrs. 19′	255 hrs. 27′	..
Congressional Record:			
Pages of proceedings	4,726	2,491	..
Extensions of Remarks	..	719	..
Public bills enacted into law	8	18	26
Private bills enacted into law	..	..	..
Bills in conference	1	8	..
Measures passed, total	101	152	253
Senate bills	21	12	..
House bills	18	58	..
Senate joint resolutions	1	..	..
House joint resolutions	..	2	..
Senate concurrent resolutions	7	5	..
House concurrent resolutions	12	19	..
Simple resolutions	42	56	..
Measures reported, total	*55	*69	124
Senate bills	39	1	..
House bills	8	39	..
Senate joint resolutions	1	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	2	..	..
House concurrent resolutions	..	5	..
Simple resolutions	4	24	..
Special reports	..	1	..
Conference reports	..	1	..
Measures pending on calendar	199	94	..
Measures introduced, total	459	765	1,224
Bills	370	557	..
Joint resolutions	10	12	..
Concurrent resolutions	15	64	..
Simple resolutions	64	132	..
Quorum calls	..	1	..
Yea-and-nay votes	77	97	..
Recorded votes	..	40	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 36 reports have been filed in the Senate, a total of 71 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 20, 2004 through April 30, 2004

Civilian Nominations, totaling 327, (including 195 nominations carried over from the First Session), disposed of as follows:	
Confirmed	45
Unconfirmed	270
Withdrawn	11
Returned to White House	1
Other Civilian Nominations, totaling 1321 (including 5 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,093
Unconfirmed	227
Withdrawn	1
Air Force Nominations, totaling 7830, (including 3572 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,739
Unconfirmed	3,091
Army Nominations, totaling 1697, (including 594 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,517
Unconfirmed	180
Navy Nominations, totaling 4959 (including 2444 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,585
Unconfirmed	374
Marine Corps Nominations, totaling 1211 (including 2 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,199
Unconfirmed	12

Summary

Total Nominations carried over from the First Session	6812
Total Nominations received this Session	10,533
Total confirmed	13,178
Total unconfirmed	4,154
Total withdrawn	12
Total Returned to the White House	1

Tuesday, May 4, 2004

Senate

Chamber Action

Routine Proceedings, pages 8181–8256

Measures Introduced: Seven bills and four resolutions were introduced, as follows: S. 2376–2382, S. Res. 349–351, and S. Con. Res. 103. **Page 8241**

Measures Reported:

S. 882, to amend the Internal Revenue Code of 1986 to provide improvements in tax administration and taxpayer safe-guards, with an amendment in the nature of a substitute. (S. Rept. No. 108–257)

S. Con. Res. 99, condemning the Government of the Republic of the Sudan for its participation and complicity in the attacks against innocent civilians in the impoverished Darfur region of western Sudan, with an amendment in the nature of a substitute and with an amended preamble. **Page 8240**

Measures Passed:

Record Production Authorization: Senate agreed to S. Res. 350, to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs. **Page 8254**

Congratulating Charter Schools: Senate agreed to S. Res. 351, congratulating charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education. **Page 8255**

Jumpstart Our Business Strength (JOBS) Act: Senate continued consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, taking action on the following amendments proposed thereto: **Page 8189**

Adopted:

Collins Modified Amendment No. 3108, to provide for a manufacturer's jobs credit. **Pages 8189, 8208**

By a unanimous vote of 99 yeas (Vote No. 78), Gregg Amendment No. 3111, to amend the Fair Labor Standards Act of 1938 to clarify provisions relating to overtime pay. **Pages 8192, 8209**

By 52 yeas to 47 nays (Vote No. 79), Harkin Amendment No. 3107, to amend the Fair Labor Standards Act of 1938 to clarify provisions relating to overtime pay. **Pages 8189, 8209**

Allen Amendment No. 3113, to provide mortgage payment assistance for employees who are separated from employment. **Page 8224**

Pending:

Dorgan Amendment No. 3110, to provide for the taxation of income of controlled foreign corporations attributable to imported property. **Page 8189**

Graham (FL) Amendment No. 3112, to strike the deduction relating to income attributable to United States production activities and the international tax provisions and allow a credit for manufacturing wages. **Page 8195**

Cantwell/Voinovich Amendment No. 3114, to extend the Temporary Extended Unemployment Compensation Act of 2002. **Page 8215**

During consideration of this measure today, the Senate also took the following action:

By 54 yeas to 45 nays (Vote No. 80), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 505 of H. Con. Res. 95, Congressional Budget Resolution for fiscal year 2004, with regard to Wyden Modified Amendment No. 3109, to provide trade adjustment assistance for service workers. Subsequently, a point of order that the amendment would violate section 505 of H. Con. Res. 95 was sustained, and the amendment thus fell. **Pages 8189, 8209, 8215**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at 10:30 a.m., on Wednesday, May 5, 2004; that Senator Breaux be recognized to offer an amendment, that there be 60 minutes for debate, and that the Senate vote on or in relation to the amendment at a time to be determined by the Majority Leader, after consultation with the Democratic Leader. **Page 8256**

Appointments:

Policy Committee to the White House Conference on Aging: The Chair, on behalf of the Majority Leader, after consultation with the members of the Committee on Health, Education, Labor, and Pensions, and the Committee on Aging, pursuant to Public Law 100–175, as amended by Public Laws 102–375, 103–171, and 106–501, appointed the following individuals as members of the Policy Committee to the White House Conference on Aging: Senators Grassley and Craig. **Page 8254**

Executive Reports of Committees: Senate received the following executive report of a committee:

Report to accompany Additional Protocol to Investment Treaty with Romania (Treaty Doc. 108–13), Additional Protocol Amending Investment Treaty with Bulgaria (Treaty Doc. 108–15), Investment Protocol with Estonia (Treaty Doc. 108–17), Additional Investment Protocol with the Czech Republic (Treat Doc. 108–18), Additional Investment Protocol with the Slovak Republic (Treaty Doc. 108–19), Additional Investment Protocol

with Latvia (Treaty Doc. 108–20), Additional Investment Protocol with Lithuania (Treaty Doc. 108–21), and Additional Protocol Concerning Business and Economic Relations with Poland (Treaty Doc. 108–22) (Exec. Report 108–13). Page 8240

Petitions and Memorials: Page 8235

Executive Reports of Committees: Page 8240

Additional Cosponsors: Page 8241

Statements on Introduced Bills/Resolutions: Page 8243

Additional Statements: Page 8231

Amendments Submitted: Page 8250

Authority for Committees to Meet: Page 8254

Privilege of the Floor: Page 8254

Record Votes: Three record votes were taken today. (Total—80) Pages 8209, 8224

Adjournment: Senate convened at 9:45 a.m., and adjourned at 6:50 p.m., until 9:30 a.m., on Wednesday, May 5, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 8256.)

Committee Meetings

OVERTIME PAY RULE

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a hearing to examine the final rule on overtime pay, setting forth the criteria for determining who is exempted from the Fair Labor Standards Act's minimum wage and overtime requirements as an executive, administrative, or professional employee, also known as the "white-collar" exemptions to the Act, receiving testimony from Tammy D. McCutchen, Administrator, Wage and Hour Division, Employment Standards Administration, Department of Labor; and Craig Becker, AFL–CIO, David S. Fortney, Fortney and Scott, Ross E. Eisenbrey, Economic Policy Institute, and Ronald Bird, Employment Policy Foundation, all of Washington, D.C.

Hearing recessed subject to the call of the Chair.

D.C. CHARTER SCHOOLS

Committee on Appropriations: Subcommittee on District of Columbia concluded a hearing to examine public charter schools in the District of Columbia, focusing on challenges facing D.C. charter schools, and best practices in D.C. charter school education, after receiving testimony from Peggy Cooper Cafritz, President, District of Columbia Board of Education; Thomas Louglin, Chairman, District of Columbia Public Charter School Board; Eric Adler, Co-Founder and Managing Director, School for Educational Evolution and Development (SEED) School; Joshua Kern, President and Chief Executive Officer, Thurgood Marshall Academy; David Domenici, Executive Director, See Forever Foundation; Joe Nathan, University of Minnesota Hubert H. Humphrey Institute, Minneapolis; and Ariana Quinones, District of Columbia Public Charter School Association, Washington, D.C.

IRAQI PRISONERS

Committee on Armed Services: Committee met in closed session to receive a briefing regarding allegations of mistreatment of Iraqi prisoners from General George W. Casey, Jr., USA, Vice Chief of Staff, U.S. Army; Lieutenant General Paul T. Mikolashek, USA, Army Inspector General; and Major General Michael J. Marchand, USA, Assistant Judge Advocate General, U.S. Army.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Airland met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2005 for military activities of the Department of Defense.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on SeaPower met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2005 for military activities of the Department of Defense.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2005 for military activities of the Department of Defense.

SATELLITE HOME VIEWER IMPROVEMENT ACT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to reauthorize the Satellite Home Viewer Improvement Act of 1999, focusing on preserving and extending pro-competitive measures in the current Act, as well as improving regulatory parity between cable and satellite TV providers, after receiving testimony from Charles W. Ergen, EchoStar Communications Corporation, Englewood, Colorado; Jim Yager, Barrington Broadcasting Company, Hoffman Estates, Illinois; Eddy Hartenstein, DirecTV, El Segundo, California; Araceli De Leon, Telemundo Communications Group, Phoenix, Arizona; and Gigi B. Sohn, Public Knowledge, Washington, D.C.

OLYMPIC SECURITY

Committee on Commerce, Science, and Transportation: Subcommittee on Competition, Foreign Commerce, and In-

frastructure concluded a hearing to examine lessons learned from security at past Olympic Games, focusing on having a security team selected with complementary skills and the institutional experience to tackle an event of this proportion, after receiving testimony from Massachusetts Governor Mitt Romney, Boston; Mark Camillo, Lockheed Martin Corporation, Arlington, Virginia; David G. Maples, Johnson, Maples, and Associates, Atlanta, Georgia; Carl Lewis, Beaverton, Oregon; and Steven Lopez, Sugar Land, Texas.

INTELLIGENCE AUTHORIZATION

Select Committee on Intelligence: Committee ordered favorably reported an original bill authorizing funds for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System.

House of Representatives

Chamber Action

Measures Introduced: 16 public bills, H.R. 4258–4273; 1 private bill, H.R. 4274; and 9 resolutions, H.J. Res. 96, H. Con. Res. 413–414, and H. Res. 618, 620–624, were introduced. **Page 8313**

Additional Cosponsors: **Page 8314**

Reports Filed: Reports were filed today as follows:

H. Res. 619, providing for consideration of H.R. 4227, to amend the Internal Revenue Code of 1986 to extend to 2005 the alternative minimum tax relief available in 2003 and 2004 and to index such relief for inflation (H. Rept. 108–477); and

H.R. 4011, to promote human rights and freedom in the Democratic People's Republic of Korea, amended (H. Rept. 108–478, Pt. 1). **Page 8313**

Speaker: Read a letter from the Speaker wherein he appointed Representative Burns to act as Speaker pro tempore for today. **Page 8257**

Recess: The House recessed at 1:10 p.m. and reconvened at 2 p.m. **Page 8263**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the contributions of military impact schools: H. Res. 598, recognizing the valuable contributions of military impacted schools, teachers, administration, and staff for their ongoing contributions to the education of military children; **Page 8264**

Congratulating charter schools for their contributions to education: H. Res. 600, amended, congratulating charter schools and their students, parents, teachers, and administrators across the U.S. for their ongoing contributions to education, by a ⅔ yea-and-nay vote of 396 yeas with none voting "nay" and 3 voting "present", Roll No. 139; **Pages 8270, 8282**

Recognizing the benefits of school-based music education: H. Con. Res. 380, amended, recognizing the benefits and importance of school-based music education, by a ⅔ yea-and-nay vote of 402 yeas with none voting "nay", Roll No. 140; **Pages 8274, 8283**

Congratulating the University of Connecticut Huskies: H. Res. 599, congratulating the University of Connecticut Huskies for winning the 2004 NCAA Division I men and women's basketball championships, by a ⅔ yea-and-nay vote of 402 yeas with none voting "nay" and 2 voting "present", Roll No. 141; **Pages 8276, 8283**

Congratulating the University of Denver men's hockey team: H. Con. Res. 408, congratulating the University of Denver men's hockey team for winning the 2004 NCAA men's hockey national championship; and **Page 8279**

Congratulating the Kennesaw State University Owls: H. Res. 594, congratulating the Kennesaw State University Owls for winning the 2004 NCAA Division II Men's Basketball National Championship. **Page 8280**

Recess: The House recessed at 3:59 p.m. and reconvened at 6:30 p.m. **Page 8282**

Budget Resolution for FY 2005—Motion To Instruct Conferees: Representative Moore announced his intention to offer a motion to instruct conferees on S. Con. Res. 95, original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009. **Page 8284**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages 8282–84. There were no quorum calls.

Adjournment: The House met at 12:30 p.m and adjourned at 11:41 p.m.

Committee Meetings

STRENGTHENING VOCATIONAL AND TECHNICAL EDUCATION

Committee on Education and the Workforce: Subcommittee on Education Reform held a hearing entitled "Strengthening Vocational and Technical Education." Testimony was heard from Jean C. Stevens, Assistant Commissioner, Office of Curriculum and Instructional Support, Department of Education, State of New York; Sandy Dunkel, Division Administrator, Career Development Division, Board of Education, State of Illinois; and public witnesses.

FASB STOCK OPTIONS PROPOSAL—EFFECT ON U.S. ECONOMY AND JOBS

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises continued hearings entitled "The FASB Stock Options Proposal: Its Effect on the U.S. Economy and Jobs." Testimony was heard from public witnesses.

MIDDLE-CLASS ALTERNATIVE MINIMUM TAX RELIEF ACT

Committee on Rules: Granted, by a vote of 7 to 4, a modified closed rule providing 1 hour of debate in the House on H.R. 4227, Middle-Class Alternative Minimum Tax Relief Act of 2004, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides for consideration of the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution, if offered by Representative Rangel of New York or his designee, which shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Johnson of Connecticut and Israel.

TTIC BRIEFING ON TERRORIST THREATS

Permanent Select Committee on Intelligence: Met in executive session to receive a TTIC Briefing on Terrorist Threats. The Committee was briefed by departmental witnesses.

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Wednesday, May 5, 2004

Senate

Chamber Action

Routine Proceedings, pages 8335–8415

Measures Introduced: Seven bills and one resolution were introduced, as follows: S. 2383–2389, and S. Res. 352. **Page 8395**

Measures Reported:

S. 2386, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System. **Page 8394**

Measures Passed:

Remembrance of World War II Veterans Day: Committee on the Judiciary was discharged from further consideration of S.J. Res. 34, designating May 29, 2004, on the occasion of the dedication of the National World War II Memorial, as Remembrance of World War II Veterans Day, and the joint resolution was then passed. **Page 8406**

Jumpstart Our Business Strength (JOBS) Act: Senate continued consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, taking action on the following amendments proposed thereto: **Page 8343**

Adopted:

By 76 yeas to 23 nays (Vote No. 84), Allard Amendment No. 3118, to provide for a brownfields demonstration program for qualified green building and sustainable design projects. **Pages 8365, 8378**

Rejected:

By 31 yeas to 68 nays (Vote No. 81), Breaux Amendment No. 3117, to limit the amount of deferred foreign income that can be repatriated at a lower rate. **Pages 8343, 8366**

By 22 yeas to 77 nays (Vote No. 82), Graham (FL) Amendment No. 3112, to strike the deduction relating to income attributable to United States production activities and the international tax provisions and allow a credit for manufacturing wages. **Pages 8343, 8356, 8360, 8366, 8368**

Dorgan Amendment No. 3110, to provide for the taxation of income of controlled foreign corporations attributable to imported property. (By 60 yeas to 39 nays (Vote No. 83), Senate tabled the amendment.) **Pages 8343, 8352, 8368, 8378**

Pending:

Cantwell/Voinovich Amendment No. 3114, to extend the Temporary Extended Unemployment Compensation Act of 2002. **Page 8343**

A unanimous-consent agreement was reached providing for further consideration of the bill at 11 a.m., on Thursday, May 6, 2004. **Page 8406**

Appointments:

Mexico-U.S. Interparliamentary Group: The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h–276k, as amended, appointed the following Senator as a member of the Senate Delegation to the Mexico-U.S. Interparliamentary Group during the Second Session of the 108th Congress: Senator Bingaman. **Page 8406**

NATO Parliamentary Assembly: The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928–1928d, as amended, appointed the following Senators as members of the Senate Delegation to the NATO Parliamentary Assembly during the Second Session of the 108th Congress: Senators Hollings and Miller. **Page 8406**

Nominations Confirmed: Senate confirmed the following nominations:

A. Paul Anderson, of Florida, to be a Federal Maritime Commissioner for the term expiring June 30, 2007.

Paul V. Applegarth, of Connecticut, to be Chief Executive Officer, Millennium Challenge Corporation. (New Position)

Joseph E. Brennan, of Maine, to be a Federal Maritime Commissioner for the term expiring June 30, 2008. (Reappointment) Page 8415

Messages From the House: Page 8390

Measures Referred: Page 8390

Executive Communications: Page 8390

Petitions and Memorials: Page 8391

Additional Cosponsors: Page 8395

Statements on Introduced Bills/Resolutions: Page 8397

Additional Statements: Page 8386

Amendments Submitted: Page 8403

Notices of Hearings/Meetings: Page 8405

Authority for Committees to Meet: Page 8405

Privilege of the Floor: Page 8406

Record Votes: Four record votes were taken today. (Total—84) Pages 8368, 8378

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:18 p.m., until 9:30 a.m., on Thursday, May 6, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 8406.)

Committee Meetings

APPROPRIATIONS: DEPARTMENT OF DEFENSE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2005 for defense-related programs, after receiving testimony from numerous public witnesses.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Personnel met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2005 for military activities of the Department of Defense.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Readiness and Management Support met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2005 for military activities of the Department of Defense.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Strategic Forces met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2005 for military activities of the Department of Defense.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Committee met in closed session to mark up proposed legislation authorizing appropriations for fiscal year 2005 for military activities of the Department of Defense, but did not complete action thereon, and will meet again on tomorrow.

STEROID USE

Committee on Commerce, Science, and Transportation: Committee held a closed hearing to examine the use of steroids by United States Olympic Athletes, receiving testimony from Terrence P. Madden, United States Anti-Doping Agency, and William C. Martin, United States Olympic Committee, both of Colorado Springs, Colorado; and Donald Catlin, University of California, Los Angeles School of Medicine Department of Pharmacology, Los Angeles.

Hearing recessed subject to the call of the chair.

SPACE LAUNCH CAPABILITIES

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space concluded a hearing to examine the space shuttle and the future of space launch, focusing on the International Space Station, defense launch systems, the civil and commercial perspectives, expendable versus reusable launch vehicles, and ensuring fairness in contracting, after receiving testimony from William F. Readdy, Associate Administrator for Space Flight, and Rear Admiral Craig E. Steidle, U.S. Navy (Ret.), Associate Administrator for Exploration Systems, both of the National Aeronautics and Space Administration; Michael Kahn, ATK Thiokol Inc., Brigham City, Utah; John C. Karas, Lockheed Martin Space Systems Company, Denver, Colorado; Robert A. Hickman, Aerospace Corporation, Arlington, Virginia; and Elon Musk, Space Exploration Technologies Corporation, El Segundo, California.

PUBLIC LANDS CONVEYANCES

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 155, to convey to the town of Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation, S. 2285, to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah, S. 1521, to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use

by the American Legion, other veterans' groups, and the local community, S. 1826, to direct the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada, S. 2085, to modify the requirements of the land conveyance to the University of Nevada at Las Vegas Research Foundation, and H.R. 1658, to amend the Railroad Right-of-Way Conveyance Validation Act to validate additional conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to facilitate the construction of the transcontinental railway, after receiving testimony from Senators Hatch and Reid; Bob Anderson, Deputy Assistant Director, Minerals, Realty and Resource Protection, Bureau of Land Management, Department of the Interior; Mark Whitney, Beaver County Commission, Beaver, Utah; Stephen G. Wells, Desert Research Institute, Reno, Nevada; and John F. Gallagher, University of Nevada, Las Vegas.

HEALTHY MARRIAGE

Committee on Finance: Subcommittee on Social Security and Family Policy held a hearing to examine the benefits of a healthy marriage, focusing on the impact of divorce, drug use and poverty on children and marriage, receiving testimony from Julie Baumgardner, First Things First, Chattanooga, Tennessee; Dwayne Grimes, Dominick Walker, and Joseph T. Jones, all on behalf of the Center for Fathers, Families, and Workforce Development, Baltimore, Maryland; Kathryn J. Edin, Northwestern University Department of Sociology, Evanston, Illinois; Ron Haskins, Brookings Institution, and Theodora Ooms, Center for Law and Social Policy, both of Washington, D.C.; and Scott M. Stanley, University of Denver Center for Marital and Family Studies, Denver, Colorado.

Hearing recessed subject to the call of the Chair.

TERRORISM: MATERIAL SUPPORT STATUTE

Committee on the Judiciary: Committee concluded an oversight hearing to examine the material support statute relating to aiding terrorists, focusing on how material support statutes have been crucial in efforts in the investigation and prosecution of terrorists, and in the protection from future terrorist attacks, after receiving testimony from Christopher A. Wray, Assistant Attorney General, Criminal Division, Daniel J. Bryant, Assistant Attorney General, Office of Legal Policy, and Gary M. Bald, Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, all of the Department of Justice; and David Cole, Georgetown University Law Center, and Paul Rosenzweig, Heritage Foundation, both of Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 24 public bills, H.R. 4275–4298; and 5 resolutions, H. Con. Res. 415–416, H. Res. 625–627, were introduced. **Page 8523**

Additional Cosponsors: **Page 8524**

Reports Filed: Reports were filed today as follows:

H.R. 4061, to amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries (H. Rept. 108–479) and

H. Res. 628, providing for consideration of H. Res. 627, deploring the abuse of persons in United States custody in Iraq, regardless of the circumstances of their detention, urging the Secretary of the Army to bring to swift justice any member of the Armed Forces who has violated the Uniform Code of Military Justice, expressing the deep appreciation of the Nation to the courageous and honorable members of the armed Forces who have selflessly served, or are currently serving, in Operation Iraqi Freedom (H. Rept. 108–480). **Page 8523**

Chaplain: The prayer was offered today by Commander Maurice S. Kaprow, Chaplain Corps, U.S. Naval Reserve in Norfolk, Virginia. **Page 8416**

Middle-Class Alternative Minimum Tax Relief Act of 2004: The House passed H.R. 4227, to amend the Internal Revenue Code of 1986 to extend to 2005 the alternative minimum tax relief available in 2003 and 2004 and to index such relief for inflation, by a yea-and-nay vote of 333 yeas to 89 nays, Roll No. 144. **Page 8426**

Rejected the Neal amendment in the nature of a substitute printed in H. Rept. 108–477 by a yea-and-nay vote of 197 yeas to 228 nays, Roll No. 143. **Page 8436**

H. Res. 619, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 220 yeas to 201 nays, Roll No. 142. **Page 8420**

Concurrent Resolution on the Budget for FY 2005—Motion to Instruct Conferees: The House rejected the Moore motion to instruct conferees on S. Con. Res. 95, original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009, by a yea-and-nay vote of 208 yeas to 215 nays, Roll No. 145. **Pages 8451, 8465**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the importance of increasing awareness of autism: H. Res. 605, amended, recognizing the importance of increasing awareness of autism, supporting programs for increased research and improved treatment of autism, improving training and support for individuals with autism and those who care for individuals with autism, by a ⅔ yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 146; **Pages 8459, 8466**

Amending the Safe Drinking Water Act: H.R. 2771, to amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program; and **Page 8467**

Small Public Housing Authority Act: H.R. 27, amended, to amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan. **Page 8472**

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further proceedings were postponed until Thursday, May 6.

Sense of the House regarding the Lao People's Democratic Republic: H. Res. 402, expressing the sense of the House of Representatives regarding the urgent need for freedom, democratic reform, and international monitoring of elections, human rights, and religious liberty in the Lao People's Democratic Republic; **Page 8474**

Sense of Congress regarding the detention of Dr. Wang Bingzhang by the Government of the People's Republic of China: H. Con. Res. 326, expressing the sense of Congress regarding the arbitrary detention of Dr. Wang Bingzhang by the Government of the People's Republic of China and urging his immediate release; and **Page 8482**

Expressing the concern of Congress over Iran's development of the means to produce nuclear weapons: H. Con. Res. 398, expressing the concern of Congress over Iran's development of the means to produce nuclear weapons. **Page 8485**

Amendment to the Communications Satellite Act of 1962: Agreed by unanimous consent to pass S. 2315, to amend the Communications Satellite Act of 1962 to extend the deadline for the INTELSAT initial public offering—clearing the measure for the President. **Page 8466**

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings of today and appear on pages 8425, 8450, and 8465–66. There were no quorum calls.

Recess: The House recessed at 11:50 p.m. and reconvened at 7:46 a.m. on Thursday, May 6. **Page 8521**

Adjournment: The House met at 10 a.m. and adjourned at 7:48 a.m. on Thursday, May 6.

Committee Meetings

NATIONAL DEFENSE AUTHORIZATION ACT

Committee on Armed Services: Subcommittee on Projection Forces approved for full Committee action H.R. 4200, National Defense Authorization Act for Fiscal Year 2005.

NATIONAL DEFENSE AUTHORIZATION ACT

Committee on Armed Services: Subcommittee on Terrorism Unconventional Threats and Capabilities approved for full Committee action H.R. 4200, National Defense Authorization Act for Fiscal Year 2005.

NATIONAL DEFENSE AUTHORIZATION ACT

Committee on Armed Services: Subcommittee on Total Force approved for full Committee action, as amended, H.R. 4200, National Defense Authorization Act for Fiscal Year 2005.

MISCELLANEOUS MEASURES

Committee on Education and the Workforce: Ordered reported, as amended, the following bills: H.R. 2728, Occupational Safety and Health Small Business Day in Court Act of 2003; H.R. 2729, Occupational Safety and Health Review Commission Efficiency Act of 2003; H.R. 2730, Occupational Safety and Health Independent Review of OSHA Citations Act of 2003; and H.R. 2731, Occupational Safety and Health Small Employer Access to Justice Act of 2003.

ALASKA NATURAL GAS PIPELINE STATUS REPORT

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "Alaska Natural Gas Pipeline Status Report." Testimony was heard from Senator Murkowski; Patrick Wood III, Chairman, Federal Energy Regulatory Commission, Department of Energy; and public witnesses.

PHYSICIAN FEE SCHEDULE—CURRENT MEDICARE PAYMENT SCHEDULE REVIEW

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Physician Fee Schedule: A Review of the Current Medicare Payment System." Testimony was heard from Bruce Steinwald, Director, Health Care—Medicare Payments Issues, GAO; Douglas Holtz-Eakin, Director, CBO; and Glenn Hackbarth, Chairman, Medicare Payment Advisory Commission.

ZERO DOWNPAYMENT ACT

Committee on Financial Services: Subcommittee on Housing and Community Opportunity approved for full Committee action, as amended, H.R. 3755, Zero Downpayment Act of 2004.

INTERIOR DEPARTMENT'S TRIBAL RECOGNITION PROCESS

Committee on Government Reform: Held a hearing entitled "Betting on Transparency: Toward Fairness and Integrity in the Interior Department's Tribal Recognition Process." Testimony was heard from the following officials of the Department of the Interior: Theresa Rosier, Counselor to the Assistant Secretary, Indian Affairs; and Earl E. Devaney, Inspector General; the following officials of the State of Connecticut: Richard Blumenthal, Attorney General; and Mark D. Boughton, Mayor, City of Danbury; and public witnesses.

WILDFIRES IN THE WEST

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing entitled "Wildfires in the West—Is the Bush Administration's Response Adequate?" Testimony was heard from P. Lynn Scarlett, Assistant Secretary, Policy, Management, and Budget, Department of the Interior; Mark E. Rey, Under Secretary, Natural Resources and Environment, USDA; and public witnesses.

MIDDLE EAST—WATER SCARCITY

Committee on International Relations: Held a hearing on Water Scarcity in the Middle East: Regional Cooperation as a Mechanism Toward Peace. Testimony was heard from the following officials of the Department of State: John F. Turner, Assistant Secretary, Bureau of Oceans and International Environmental and Scientific Affairs; David Satterfield, Deputy Assistant Secretary, Bureau of Near Eastern Affairs; and James Kunder, Deputy Assistant Administrator, Bureau for Asia and the Near East, AID; and public witnesses.

SOCIAL INVESTMENT AND ECONOMIC DEVELOPMENT FUND FOR THE AMERICAS ACT

Committee on International Relations: Subcommittee on Western Hemisphere approved for full Committee action H.R. 3447, Social Investment and Economic Development Fund for the Americas Act of 2003.

CONSTITUTIONAL AMENDMENT REGARDING APPOINTMENT OF INDIVIDUALS TO FILL HOUSE VACANCIES; TERRORIST PENALTIES ENHANCEMENT ACT

Committee on the Judiciary: Ordered reported, adversely, H.J. Res. 83, Proposing an amendment to the Constitution of the United States regarding the appointment of individuals to fill vacancies in the House of Representatives.

The Committee also began markup of H.R. 2934, Terrorist Penalties Enhancement Act of 2003.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following bills: H.R. 142, amended, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Inland Empire regional water recycling project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, and to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project; H.R. 1014, amended, Gateway Communities Cooperation Act; H.R. 2010, amended, To protect the voting rights of members of the Armed Services in elections for the Delegate representing American Samoa in the United States House of Representatives; H.R. 2201, National War Permanent Tribute Historical Database Act; H.R. 2663, To authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Criox, Virgin Islands, as a unit of the National Park System; H.R. 2828, amended, Water Supply, Reliability, and Environmental Improvement Act; H.R. 2912, To reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government; H.R. 2966, amended, Right-to-Ride Livestock on Federal Lands Act of 2003; H.R. 2991, Inland Empire Regional Water Recycling Initiative; H.R. 3247, amended, Trail Responsibility and Accountability for the Improvement of Lands Act of 2003; H.R. 3378, Marine Turtle Conservation Act of 2003; H.R. 3504, To amend the Indian Self-Determination and Education Assistance Act to redesignate the American Indian Education Foundation as the National Fund for Excellence in American Indian Education; H.R. 3505, amended, to amend the Bend Pine Nursery Land Conveyance Act to specify the recipients and consideration for conveyance of the Bend Pine Nursery; H.R. 3706, John Muir National Historic Site Boundary Adjustment Act; H.R. 3768, amended, Timucuan Ecological and Historic Preserve Boundary Revision Act of 2004; H.R. 3819, amended, Lewis and Clark National Historical Park Designation Act of 2004; H.R. 3846, amended, Tribal Forest Protection Act of 2004; H.R. 3874, amended, To convey for public purposes certain Federal lands in Riverside County, California, that have been identified for disposal; H.R. 3932, amended, To amend Public Law 99–338 to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project; and H.R. 4114, amended, Migratory Bird Treaty Reform Act of 2004.

DEPLORING THE ABUSE OF PERSONS IN THE UNITED STATES CUTODY IN IRAQ

Committee on Rules: Granted, by voice vote, a closed rule providing one hour of debate in the House equally divided and cotrolled by the chairman and ranking minority member of the Committee on Armed Services. The rule provides one motion to recommit which may not contain instructions. No witnesses were heard.

U.S. COMMISSION ON OCEAN POLICY PRELIMINARY REPORT

Committee on Science: Held a hearing entitled "U.S. Commission on Ocean Policy Preliminary Report." Testimony was heard from ADM James D. Watkins, USN (Ret.), Chairman, U.S. Commission on Ocean Policy; and public witnesses.

IMPROVING THE REGULATORY FLEXIBILITY ACT

Committee on Small Business: Held a hearing entitled "Improving the Regulatory Flexibility Act—H.R. 2345." Testimony was heard from Representatives Terry and Pence; Thomas Sullivan, Chief Counsel for Advocacy, SBA; and public witnesses.

OVERSIGHT—RAILROAD SECURITY

Committee on Transportation and Infrastructure: Subcommittee on Railroads held an oversight hearing on Railroad Security, Testimony was heard from Allan Rutter, Administrator, Federal Railroad Administration, Department of Transportation; Chet Lunner, Assistant Administrator, Office of Maritime and Land Security, Transportation Security Administration, Department of Homeland Security; Ernest R. Frazier, Sr., Chief of Police and Security Department, Amtrak; and public witnesses.

AGOA ACCELERATION ACT

Committee on Ways and Means: Ordered reported, as amended, H.R. 4103, AGOA Acceleration Act of 2004.

DCI WRAP UP BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on DCI Wrap Up Budget. Testimony was heard from departmental witnesses.

DEPARTMENT OF HOMELAND SECURITY—MARITIME SECURITY OPERATIONS

Select Committee on Homeland Security: Subcommittee on Infrastructure and Border Security held a hearing entitled "Maritime Security Operations within the Department of Homeland Security." Testimony was heard from the following officials of the Department of Homeland Security: RADM David S. Belz, USCG, Assistant Commandant for Operations, U.S. Coast Guard; Charles E. Stallworth II, Director, Office of Air and Marine Operations, Bureau of Immigrations and Customs Enforcement; Jayson P. Ahern, Assistant Commissioner, Office of Field Operations, Bureau of Customs and Border Protection; and Tom Blank, Assistant Administrator, Policy, Transportation Security Administration.

Joint Meetings

NORTHERN IRELAND MURDER CASES

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded a hearing to examine the impact in Northern Ireland of recently published reports on collusion in prominent murder cases, after receiving testimony from Peter Cory, former Canadian Supreme Court Justice, Ottawa; Geraldine Finucane, Northern Ireland; and Elisa Massimino, Human Rights First, Washington, D.C.

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Thursday, May 6, 2004

Senate

Chamber Action

Routine Proceedings, pages 8625–8724

Measures Introduced: Four bills and five resolutions were introduced, as follows: S. 2390–2393, S.J. Res. 37, S. Res. 353–355, and S. Con. Res. 104. **Page 8693**

Measures Reported:

S. 1423, to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe—Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe, with amendments. (S. Rept. No. 108–259) **Page 8693**

Measures Passed:

Condemning Sudan: Senate agreed to S. Con. Res. 99, condemning the Government of the Republic of the Sudan for its participation and complicity in the attacks against innocent civilians in the impoverished Darfur region of western Sudan, after agreeing to the committee amendment in the nature of a substitute, and the amendment to the preamble. **Page 8625**

Family Opportunity Act: Senate passed S. 622, to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the Medicaid program for such children, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 8640**

Grassley Amendment No. 3119, in the nature of a substitute. **Page 8640**

Taiwan: Senate passed S. 2092, to address the participation of Taiwan in the World Health Organization, after agreeing to the committee amendment in the nature of a substitute. **Page 8718**

Brown v. Board of Education Anniversary: Committee on the Judiciary was discharged from further consideration of S. Res. 349, recognizing and honoring May 17, 2004, as the 50th anniversary of the Supreme Court decision in Brown v. Board of Education of Topeka, and the resolution was then agreed to. **Page 8720**

Brown v. Board of Education Anniversary: Committee on the Judiciary was discharged from further consideration of S. Con. Res. 102, to express the sense of the Congress regarding the 50th anniversary of the Supreme Court decision in Brown v. Board of Education of Topeka, and the resolution was then agreed to. **Page 8720**

Record Production Authority: Senate agreed to S. Res. 355, to authorize the production of records by the Committee on Commerce, Science, and Transportation. **Page 8722**

Motherhood: Committee on the Judiciary was discharged from further consideration of S. Res. 348, to protect, promote, and celebrate motherhood, and the resolution was then agreed to. **Page 8723**

Treaties Approved: The following treaties having passed through their various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present and having voted in the affirmative, the resolutions of ratification were agreed to:

Additional Protocol to Investment Treaty with Romania Treaty Doc. 108–13.

Additional Protocol Amending Investment Treaty with Bulgaria Treaty Doc. 108–15.

Investment Protocol with Estonia Treaty Doc. 108–17.

Additional Investment Protocol with the Czech Republic Treaty Doc. 108–18.

Additional Investment Protocol with the Slovak Republic Treaty Doc. 108–19.

Additional Investment Protocol with Latvia Treaty Doc. 108–20.

Additional Investment Protocol with Lithuania Treaty Doc. 108–21.

Additional Protocol Concerning Business and Economic Relations with Poland Treaty Doc. 108–22. **Page 8718**

Nominations Confirmed: Senate confirmed the following nominations:

By 95 yeas 3 nays (Vote No. EX. 85), John D. Negroponte, of New York, to be Ambassador to Iraq. **Pages 8645, 8724**

Scott H. DeLisi, of Minnesota, to be Ambassador to the State of Eritrea.

Aubrey Hooks, of Virginia, to be Ambassador to the Republic of Cote d'Ivoire.

Craig A. Kelly, of California, to be Ambassador to the Republic of Chile.

Thomas Bolling Robertson, of Virginia, to be Ambassador to the Republic of Slovenia.

Marc McGowan Wall, of Virginia, to be Ambassador to the Republic of Chad.

John Campbell, of Virginia, to be Ambassador to the Federal Republic of Nigeria.

Michael Christian Polt, of Tennessee, to be Ambassador to Serbia and Montenegro.

John M. Ordway, of California, to be Ambassador to the Republic of Kazakhstan.

Thomas Neil Hull III, of New Hampshire, to be Ambassador to the Republic of Sierra Leone.

Roger A. Meece, of Washington, to be Ambassador to the Democratic Republic of the Congo.

Lauren Moriarty, of Hawaii, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during her tenure of service as United States Senior Official to the Asia-Pacific Economic Cooperation Forum.

Michele J. Sison, of Maryland, to be Ambassador to the United Arab Emirates.

Thomas Charles Krajeski, of Virginia, to be Ambassador to the Republic of Yemen.

Christopher R. Hill, of Rhode Island, to be Ambassador to the Republic of Korea.

Michael W. Marine, of Vermont, to be Ambassador to the Socialist Republic of Vietnam.

Jeffrey D. Feltman, of Ohio, to be Ambassador to the Republic of Lebanon.

Patricia M. Haslach, of Oregon, to be Ambassador to the Lao People's Democratic Republic.

Richard LeBaron, of Virginia, to be Ambassador to the State of Kuwait.

David Michael Satterfield, of Virginia, to be Ambassador to the Hashemite Kingdom of Jordan. **Pages 8717, 8724**

Nominations Received: Senate received the following nominations:

Ralph Leo Boyce, Jr., of Virginia, to be Ambassador to the Kingdom of Thailand.

John Marshall Evans, of the District of Columbia, to be Ambassador to the Republic of Armenia.

John D. Rood, of Florida, to be Ambassador to the Commonwealth of The Bahamas.

2 Air Force nominations in the rank of general.

6 Marine Corps nominations in the rank of general.

8 Navy nominations in the rank of admiral. **Page 8724**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Fredrick W. Rohlfing III, of Hawaii, to be United States District Judge for the District of Hawaii, which was sent to the Senate on January 7, 2003.

Jose A. Fourquet, of New Jersey, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2004, which was sent to the Senate on January 9, 2003.

Jose A. Fourquet, of New Jersey, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2004, which was sent to the Senate on October 1, 2003. Page 8724

Messages From the House: Page 8690

Measures Referred: Page 8691

Measures Read First Time: Page 8691

Executive Communications: Page 8691

Petitions and Memorials: Page 8693

Additional Cosponsors: Page 8693

Statements on Introduced Bills/Resolutions: Page 8695

Additional Statements: Page 8688

Amendments Submitted: Page 8701

Authority for Committees to Meet: Page 8705

Privilege of the Floor: Page 8706

Record Votes: One record vote was taken today. (Total—85) Page 8675

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:09 p.m., until 9:30 a.m., on Friday, May 7, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 8723.)

Committee Meetings

ENERGY PRODUCTION: BIOMASS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine new opportunities for agriculture, focusing on the use of biomass, which is any living matter that can be converted into usable energy through biological or chemical processes, and encompasses feedstocks such as agricultural crops and their residues, animal wastes, wood, wood residues and grasses, and municipal wastes use in energy production, after receiving testimony from former Representative Thomas Ewing, on behalf of the Biomass Research and Development Technical Advisory Committee; Mark E. Rey, Under Secretary of Agriculture for Natural Resources and Environment; David Garman, Acting Under Secretary of Energy for Energy, Science and Environment, and Assistant Secretary of Energy for Energy Efficiency and Renewable Energy; R. James Woolsey, McLean, Virginia, former Director of Central Intelligence; C. Boyden Gray, Energy Future Coalition, Washington, D.C.; Mark E. Zappi, Mississippi State University Dave C. Swalm School of Chemical Engineering, Mississippi State; Tom L. Richard, Iowa State University, Ames; Lee R. Lynd, Dartmouth College Thayer School of Engineering, Hanover, New Hampshire; and Samuel B. McLaughlin, University of Tennessee Oak Ridge National Laboratory, Oak Ridge.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the following bills:

H.R. 3104, to provide for the establishment of separate campaign medals to be awarded to members of the uniformed services who participate in Operation Enduring Freedom and to members of the uniformed services who participate in Operation Iraqi Freedom;

An original bill entitled "National Defense Authorization Act for Fiscal Year 2005";

An original bill entitled "Department of Defense Authorization Act for Fiscal Year 2005";

An original bill entitled "Military Construction Authorization Act for Fiscal Year 2005"; and

An original bill entitled "Department of Energy National Security Act for Fiscal Year 2005".

Also, committee received a report from the Select Committee on Intelligence on the proposed Intelligence Authorization Act for Fiscal Year 2005.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported an original bill to authorize the Secretary of Homeland Security to award grants to public transportation agencies to improve security.

CLIMATE CHANGE

Committee on Commerce, Science, and Transportation: Committee held a hearing to examine impacts of climate change and states' actions, focusing on public health, forests, heatwaves, geological records, recent changes in the ocean, temperatures, sea ice and glacial ice, and ecological responses, receiving testimony from Ken Colburn, Northeast States for Coordinated Air Use Management, and Paul R. Epstein, Harvard Medical School Center for Health and the Global Environment, both of Boston, Massachusetts; William B. Curry, Woods Hole Oceanographic Institution, Woods Hole, Massachusetts; William R. Fraser, Polar Oceans Research Group, Sheridan, Montana; and Philip Mote, University of Washington, Seattle.

Hearing recessed subject to call.

CARFA ACT

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine S. 1668, to establish a commission to conduct a comprehensive review of Federal agencies and programs and to recommend the elimination or realignment of duplicative, wasteful, or outdated functions, after receiving testimony from Senator Brownback; former Representative Dick Armey, on behalf of Citizens for a Sound Economy; Clay Johnson III, Deputy Director for Management, Office of Management and Budget; and Paul Weinstein, Jr., Progressive Policy Institute, Washington, D.C.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of Jonathan W. Dudas, of Virginia, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, after the nominee, who was introduced by Representative Hyde, testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Measures Introduced: 20 public bills, H.R. 4299–4318; and 8 resolutions, H. Con. Res. 417–419 and H. Res. 629–633, were introduced. **Page 8621**

Additional Cosponsors: **Page 8623**

Reports Filed: Reports were filed today as follows:

H.R. 4060, to amend the Peace Corps Act to establish an Ombudsman and an Office of Safety and Security of the Peace Corps (H. Rept. 108–481, Pt. 1). **Page 8621**

Speaker: Read a letter from the Speaker wherein he appointed Representative Fossella to act as Speaker pro tempore for today. **Page 8552**

Chaplain: The prayer was offered today by Rev. Joseph V. Brennan, Pastor, St. Linus Church in Norwalk, California. **Page 8552**

Point of Order: The Chair ruled that words uttered by a Member during a one-minutes speech were not unparliamentary and the point of order was overruled. **Page 9554**

Coast Guard and Maritime Transportation Act of 2003—Motion to go to Conference: The House disagreed to the Senate amendments to H.R. 2443, to authorize appropriations for the Coast Guard for fiscal year 2004, to amend various laws administered by the Coast Guard, and agreed to a conference. **Page 8556**

Agreed to the Filner motion to instruct conferees on the bill to insist on the language contained in section 415 of the House bill that requires foreign-flag vessels to have their vessel security plans approved by the United States Coast Guard before entering a port in the United States, by a yea-and-nay vote of 395 yeas to 19 nays, Roll No. 148. **Pages 8556, 8572**

Appointed as conferees: from the Committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendments, and modifications committed to conference: Representatives Young (AK), Coble, Duncan, Hoekstra, LoBiondo, Simmons, Mario Diaz-Balart (FL), Oberstar, Filner, Bishop (NY), and Lampson. **Page 8610**

For consideration of the House bill and Senate amendments, and modifications committed to conference: Representatives Cox and Thompson (MS). **Page 8610**

Iraqi Prisoner Resolution: The House agreed to H. Res. 627, deploring the abuse of persons in United States custody in Iraq, regardless of the circumstances of their detention, urging the Secretary of the Army to bring to swift justice any member of the Armed Forces who has violated the Uniformed Code of Military Justice, expressing the deep appreciation of the Nation to the courageous and honorable members of the Armed Forces who have selflessly served, or are currently serving, in Operation Iraqi Freedom, by a recorded vote of 365 ayes to 50 noes, Roll No. 150. **Page 8573**

A point of order was sustained against the Hoyer motion to recommit the resolution back to the Committee on Armed Services with instructions. **Page 8590**

H. Res. 628, the rule providing for consideration of the measure was agreed to by a voice vote, after agreeing to order the previous question by a yea-and-nay vote of 218 yeas to 201 nays, Roll No. 147. **Page 8559**

Suspensions: The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, May 5:

Sense of the House regarding the Lao People's Democratic Republic: H. Res. 402, expressing the sense of the House of Representatives regarding the urgent need for freedom, democratic reform, and international monitoring of elections, human rights, and religious liberty in the Lao People's Democratic Republic, by a ⅔ yea-and-nay vote of 408 yeas to 1 nays and 1 voting "present", Roll No. 149; **Page 8573**

Sense of Congress regarding the detention of Dr. Wang Bingzhang by the Government of the People's Republic of China: H. Con. Res. 326, expressing the sense of Congress regarding the arbitrary detention of Dr. Wang Bingzhang by the Government of the People's Republic of China and urging his immediate release, by a ⅔ yea-and-nay vote of 399 yeas with none voting "nay", Roll No. 151; and **Page 8592**

Expressing the concern of Congress over Iran's development of the means to produce nuclear weapons: H. Con. Res. 398, expressing the concern of Congress over Iran's development of the means to produce nuclear weapons, by a ⅔ yea-and-nay vote of 376 yeas to 3 nays and 14 voting "present", Roll No. 152. **Page 8593**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at noon on Monday, May 10; and further that when it adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, May 11 for morning hour debate. **Page 8595**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, May 12. **Page 8595**

Senate Message: Message received from the Senate today appears on page 8552.

Senate Referral: S.J. Res. 34 was held at the desk.

Quorum Calls—Votes: Five yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages 8571–73 and 8591–93. There were no quorum calls.

Adjournment: The House met at 10 a.m and adjourned at 7:10 p.m.

Committee Meetings

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on the National Foreign Intelligence Program Budget. Testimony was heard from George J. Tenet, Director, CIA.

NATIONAL DEFENSE AUTHORIZATION ACT

Committee on Armed Services: Subcommittee on Readiness approved for full Committee action H.R. 4200, National Defense Authorization Act for Fiscal Year 2005.

NATIONAL DEFENSE AUTHORIZATION ACT

Committee on Armed Services: Subcommittee on Strategic Forces approved for full Committee action H.R. 4200, National Defense Authorization Act for Fiscal Year 2005.

NATIONAL DEFENSE AUTHORIZATION ACT

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces approved for full Committee action H.R. 4200, National Defense Authorization Act for Fiscal Year 2005.

ONLINE PORNOGRAPHY

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled "Online Pornography: Closing the Doors on Pervasive Smut." Testimony was heard from J. Howard Beales III, Director, Bureau of Consumer Protection, FTC; Kevin Lourdeau, Deputy Assistant Director, Cyber Division, FBI, Department of Justice; Linda D. Koontz, Director, Information Management Issues, GAO; and public witnesses.

PROTECTING CHILDREN ONLINE

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "The 'Dot Kids' Internet Domain: Protecting Children Online." Testimony was heard from Michael D. Gallagher, Acting Assistant Secretary, Communications and Information, National Telecommunications and Information Administration, Department of Commerce; and public witnesses.

OVERSIGHT—EXPORT-IMPORT BANK

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology held an oversight hearing entitled "Oversight of the Export-Import Bank of the United States." Testimony was heard from Philip Merrill, President and Chairman, Export-Import Bank of the United States.

MISCELLANEOUS MEASURES; SECURITY CLEARANCE BACKLOG

Committee on Government Reform: Ordered reported the following measures: H.R. 4259, Department of Homeland Security Financial Accountability Act; H.R. 4176, To designate the facility of the United States Postal Service located at 122 West Elwood Avenue in Raeford, North Carolina, as the "Bobby Marshall Gentry Post Office Building"; H. Con. Res. 295, Congratulating and saluting Focus: HOPE on the occasion of its 35th anniversary and for its remarkable commitment and contributions to Detroit, the State of Michigan, and the United States; H. Res. 613, Recognizing and honoring the tenth anniversary of Vietnam Human Rights Day; H. Res. 622, Supporting the goals and ideals of Peace Officers Memorial Day; and H.R. 3740, To designate the facility of the United States Postal Service located at 223 South Main Street in Roxboro, North Carolina, as the "Oscar Scott Woody Post Office Building".

The Committee also held a hearing entitled "What's the Hold Up: A Review of Security Clearance Backlog and Reciprocity Issues Plaguing Today's Government and Private Sector Workforce." Testimony was heard from Gregory C. Wilshusen, Acting Director, Defense Capabilities and Management, GAO; Stephen C. Benowitz, Associate Director, Division for Human Resources Products and Services, OPM; Heather Anderson, Acting Director, Security, Office of the Under Secretary for Intelligence, Department of Defense; and public witnesses.

AUTISM SPECTRUM DISORDERS

Committee on Government Reform: Subcommittee on Human Rights and Wellness held a hearing entitled "Autism Spectrum Disorders: An Update on Federal Government Initiatives and Revolutionary New Treatment of Neurodevelopmental Diseases." Testimony was heard from Troy Justesen, Assistant Secretary (Acting), Office of Special Education and Rehabilitative Services, Department of Education; and public witnesses.

RESOLUTION CONDEMNING SUDAN GOVERNMENT FOR ATTACKS AGAINST CIVILIANS; CRISIS IN DARFUR

Committee on International Relations: Favorably considered and adopted a motion urging the chairman to request that H. Con. Res. 403, as amended, Condemning the Government of the Republic of the Sudan for its attacks against innocent civilians in the impoverished Darfur re-

gion of western Sudan, be considered on the Suspension Calendar.

The Committee also held a hearing on The Crisis in Darfur: A New Front in Sudan's Bloody War. Testimony was heard from the following officials of the Department of State: Charles R. Snyder, Acting Assistant Secretary, Bureau of African Affairs; and Roger P. Winter, Assistant Administrator, Bureau for Democracy, Conflict and Humanitarian Assistance, AID; and public witnesses.

SATELLITE HOME VIEWER EXTENSION AND REAUTHORIZATION ACT OF 2004

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property approved for full Committee action the Satellite Home Viewer Extension and Reauthorization Act of 2004.

FEDERAL LANDS RECREATION ENHANCEMENT ACT

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held a hearing on H.R. 3283, Federal Lands Recreation Enhancement Act. Testimony was heard from Representative Regula; Lynn Scarlett, Assistant Secretary, Policy, Management and Budget, Department of the Interior; Tom Thompson, Deputy Chief, National Forest System, Forest Service, USDA; Barry T. Hill, Director, Natural Resources and Environment, GAO; and public witnesses.

BENEFITS OF TAX INCENTIVES FOR PRODUCERS OF RENEWABLE FUELS

Committee on Small Business: Subcommittee on Rural Enterprise, Agriculture and Technology held a hearing entitled "The Benefits of Tax Incentives for Producers of Renewable Fuels and Its Impact on Small Businesses and Farmers." Testimony was heard from Representative Hulshof; and public witnesses.

MARITIME TRANSPORTATION AMENDMENTS

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing on H.R. 4251, Maritime Transportation Amendments of 2004. Testimony was heard from RADM John E. Crowley, USCG, Judge Advocate General, U.S. Coast Guard, Department of Homeland Security.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Subcommittee on Health held a hearing on the following: H.R. 4020, State Veterans' Homes Nurse Recruitment Act of 2004; H.R. 4231, Department of Veterans Affairs Nurse Recruitment and Retention Act of 2004; H.R. 3849, Military Sexual Trauma Counseling Act of 2004; H.R. 4248, Homeless Veterans Assistance Reauthorization Act of 2004; and a measure to reform the qualifications and selection requirements for the position of the Under Secretary for Health. Testimony was heard from Gordon H. Mansfield, Deputy Secretary, Department of Veterans Affairs; Linda S. Schwarz, Commissioner, Department of Veterans Affairs, State of Connecticut; representatives of veterans organizations; and public witnesses.

BRIEFING—IRAQI PRISONER ISSUES/ABU GHRAIB

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Iraqi Prisoner Issues/Abu Ghraib. The Committee was briefed by departmental witnesses.

BRIEFING ON GLOBAL INTELLIGENCE DATA

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy and National Security met in executive session to receive a briefing on Global Intelligence Update. The Subcommittee was briefed by departmental witnesses.

PROGRESS IN ADDRESSING MANAGEMENT CHALLENGES AT HOMELAND SECURITY DEPARTMENT

Select Committee on Homeland Security: Held a hearing entitled "Progress in Addressing Management Challenges at the Department of Homeland Security." Testimony was heard from James M. Loy, Deputy Secretary, Department of Homeland Security.

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Friday, May 7, 2004

Senate

Chamber Action

Routine Proceedings, pages 8744–8766

Measures Introduced: One bill was introduced, as follows: S. 2394. **Page 8758**

Measures Passed:

Northern Uganda Crisis Response Act: Senate passed S. 2264, to require a report on the conflict in Uganda. **Page 8762**

Celebrating South Africa Majority Rule: Senate agreed to S. Con. Res. 100, celebrating 10 years of majority rule in the Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country. **Page 8763**

Rwandan Genocide: Senate agreed to S. Res. 332, observing the tenth anniversary of the Rwandan Genocide of 1994. **Page 8764**

Global Anti-Semitism Review Act: Senate passed S. 2292, to require a report on acts of anti-Semitism around the world, after agreeing to the committee amendments. **Page 8764**

Jumpstart Our Business Strength (JOBS) Act: Senate resumed consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, taking action on the following amendment proposed thereto: **Page 8760**

Pending:

Cantwell/Voinovich Amendment No. 3114, to extend the Temporary Extended Unemployment Compensation Act of 2002. **Page 8760**

During consideration of this measure today, the Senate also took the following action:

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Tuesday, May 11, 2004. **Page 8760**

Senate may resume consideration of the bill on Monday, May 10, 2004.

Measures Placed on Calendar: **Pages 8758, 8762**

Additional Cosponsors: **Page 8759**

Statements on Introduced Bills/Resolutions: **Page 8759**

Additional Statements: **Page 8758**

Authority for Committees to Meet: **Page 8760**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 12:16 p.m., until 2 p.m., on Monday, May 10, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 8765.)

Committee Meetings

IRAQI PRISONERS

Committee on Armed Services: Committee concluded a hearing to examine allegations of mistreatment of Iraqi prisoners, after receiving testimony from Donald H. Rumsfeld, Secretary of Defense; Stephen A. Cambone, Under Secretary of Defense for Intelligence; General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff; Les Brownlee, Acting Secretary of the Army; General Peter J. Schoomaker, USA, Chief of Staff of the Army; and Lieutenant General Lance L. Smith, USAF, Deputy Commander, U.S. Central Command.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 12 noon on Monday, May 10 in pro forma session, and at 12:30 p.m., on Tuesday, May 11 for Morning Hour debate.

Committee Meetings

TREATMENT OF PRISONERS IN IRAQ

Committee on Armed Services: Held a hearing on the ongoing investigation into the abuse of prisoners within the Central Command area of responsibility. Testimony was heard from the following officials of the Department of Defense: Donald H. Rumsfeld, Secretary; GEN Richard B. Myers, USAF, Chairman, Joints Chiefs of Staff; Les Brownlee, Acting Secretary, Army; GEN Peter J. Schoomaker, USA, Chief of Staff, Army; and LTG Lance L. Smith, USAF, Deputy Commander, Central Command.

Joint Meetings

EMPLOYMENT SITUATION

Joint Economic Committee: Committee concluded hearings to examine the employment-unemployment situation for April 2004, focusing on economic growth, business activity in the manufacturing and service industries, the Gross Domestic Product (GDP), job creation and loss, after receiving testimony from Kathleen P. Utgoff, Commissioner, Bureau of Labor Statistics, Department of Labor.

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Monday, May 10, 2004

Senate

Chamber Action

Routine Proceedings, pages 8781–8903

Measures Introduced: Five bills and two resolutions were introduced, as follows: S. 2395–2399, S. Res. 356, and S. Con. Res. 105. **Page 8809**

Measures Passed:

Condemning Iraqi Prisoner Abuse: By a unanimous vote of 92 yeas (Vote No. 86), Senate agreed to S. Res. 356, condemning the abuse of Iraqi prisoners at Abu Ghraib prison, urging a full and complete investigation to ensure justice is served, and expressing support for all Americans serving nobly in Iraq. **Page 8797**

Jumpstart Our Business Strength (JOBS) Act—Agreement: A unanimous-consent-time agreement was reached providing for further consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, at approximately 10:45 a.m., on Tuesday, May 11, 2004, with a vote on the motion to invoke cloture on the bill to occur at approximately 12 noon; if cloture is invoked, Senate will proceed to a vote on or in relation to Cantwell Amendment No. 3114; further, that if a point of order is raised and the motion to waive is subsequently agreed to, then the Cantwell Amendment be agreed to. **Page 8902**

Nominations Received: Senate received the following nominations:

Thomas B. Griffith, of Utah, to be United States Circuit Judge for the District of Columbia Circuit.

Routine lists in the Air Force, Army, Navy. **Page 8902**

Enrolled Bills Presented: **Page 8807**

Executive Communications: **Page 8807**

Additional Cosponsors: **Page 8809**

Statements on Introduced Bills/Resolutions: **Page 8810**

Additional Statements: **Page 8804**

Amendments Submitted: **Page 8827**

Notices of Hearings/Meetings: **Page 8902**

Record Votes: One record vote was taken today. (Total—86) **Page 8802**

Adjournment: Senate convened at 2 p.m., and adjourned at 6:45 p.m., until 9:45 a.m., on Tuesday, May 11, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 8902.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 3 public bills, H.R. 4319–4321; and 2 resolutions, H. Res. 634–635, were introduced. **Page 8780**

Additional Cosponsors: **Page 8780**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Pearce to act as Speaker Pro Tempore for today. **Page 8778**

Senate Message: Message received from the Senate today appears on page 8778.

Senate Referral: S. 622 was referred to Energy and Commerce; S. 2264 was referred to International Relations; S. 2292 was referred to International Relations; S. Con. Res. 100 was referred to International Relations; S. Con. Res. 102 was referred to the Judiciary; S. 2092 was held at the desk; and S. Con. Res. 99 was held at the desk. **Page 8778**

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 12 noon and adjourned at 12:03 p.m.

Committee Meetings

No committee meetings were held.

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Tuesday, May 11, 2004

Senate

Chamber Action

Routine Proceedings, pages 8909–83

Measures Introduced: Twelve bills and one resolution were introduced, as follows: S. 2400–2411, and S. Con. Res. 106. **Page 8969**

Measures Reported:

S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services. (S. Rept. No. 108–260)

S. 994, to protect human health and the environment from the release of hazardous substances by acts of terrorism, with an amendment in the nature of a substitute. (S. Rept. No. 108–261)

H.R. 3104, To provide for the establishment of separate campaign medals to be awarded to members of the uniformed services who participate in Operation Enduring Freedom and to members of the uniformed services who participate in Operation Iraqi Freedom.

S. 441, to direct the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouses in that county, with an amendment in the nature of a substitute.

S. 2286, to designate the Orville Wright Federal Building and the Wilbur Wright Federal Building in Washington, District of Columbia.

S. 2401, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces.

S. 2402, to authorize appropriations for fiscal year 2005 for military construction.

S. 2403, to authorize appropriations for fiscal year 2005 for defense activities of the Department of Energy. **Page 8968**

Measures Passed:

Jumpstart Our Business Strength (JOBS) Act: By 92 yeas to 5 nays (Vote No. 91), Senate passed S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, after taking action on the following amendments proposed thereto: **Pages 8917, 8929**

Adopted:

Landrieu Amendment No. 3123, to improve the credit for Ready Reserve-National Guard employees, to provide a credit for replacement employees of Ready Reserve-National Guard employees called to active military duty, and for other purposes. **Page 8939**

Hutchison Amendment No. 3138, to make certain engineering and architectural services eligible for the deduction relating to income attributable to United States production activities and to limit an employer's deduction for entertainment expenses of covered employees to the amount which the employee includes in income. **Pages 8939, 8944**

Levin Modified Amendment No. 3120, to restrict the use of abusive tax shelters to inappropriately avoid Federal taxation. **Page 8955**

Grassley Amendment No. 3133, to provide for certain technical corrections. **Page 8959**

Grassley (for Nickles) Modified Amendment No. 3040, to treat electric transmission property as 15-year property. **Page 8959**

Grassley Amendment No. 3143, to make certain improvements to the bill. **Page 8959**

Subsequently, the amendment was modified. **Page 8961**

Rejected:

By 13 yeas to 85 nays (Vote No. 89), McCain Amendment No. 3129, to strike provisions relating to energy tax incentives. **Pages 8924, 8932**

By 23 yeas to 74 nays (Vote No. 90), Hollings Amendment No. 3134, to strike the international tax provisions that are unrelated to the FSC/ETI repeal and eliminate the phase-in of the deduction for qualified production activities income. **Page 8933**

During consideration of this measure today, the Senate also took the following action:

By 90 yeas to 8 nays (Vote No. 87), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page 8922**

By 59 yeas to 40 nays (Vote No. 88), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 505 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Cantwell/Voinovich Amendment No. 3114, to extend the Temporary Extended Unemployment Compensation Act of 2002. Subsequently, the point of order that the amendment increases mandatory spending and would cause an increase in the deficit in excess of levels permitted by H. Con. Res. 95, was sustained, and the amendment thus falls. **Page 8923**

IDEA—Agreement: A unanimous-consent agreement was reached providing for consideration of S. 1248, to reauthorize the Individuals with Disabilities Education Act, at approximately 10:30 a.m., on Wednesday, May 12, 2004. **Page 8982**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the notification of an Executive Order blocking the property of certain persons and prohibiting the export of certain goods to Syria; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–76) **Page 8966**

Nominations Received: Senate received the following nominations:

Joseph F. Bader, of the District of Columbia, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2007.

Brett T. Palmer, of New York, to be an Assistant Secretary of Commerce.

Deborah P. Majoras, of Virginia, to be a Federal Trade Commissioner for the unexpired term of seven years from September 26, 2001.

Timothy S. Bitsberger, of Massachusetts, to be an Assistant Secretary of the Treasury.

James R. Kunder, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Craig T. Ramey, of West Virginia, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years. (New Position)

Larry C. Kindsvater, of Virginia, to be Deputy Director of Central Intelligence for Community Management. **Page 8983**

Executive Communications: **Page 8967**

Additional Cosponsors: **Page 8969**

Statements on Introduced Bills/Resolutions: **Page 8970**

Additional Statements: Page 8965

Amendments Submitted: Page 8979

Notices of Hearings/Meetings: Page 8981

Authority for Committees to Meet: Page 8982

Record Votes: Five record votes were taken today. (Total–91) Pages 8923, 8924, 8932, 8938, 8959

Adjournment: Senate convened at 9:47 a.m., and adjourned at 7:28 p.m., until 9:30 a.m., on Wednesday, May 12, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 8983.)

Committee Meetings

CONSERVATION PROGRAMS OVERSIGHT

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Forestry, Conservation, and Rural Revitalization concluded an oversight hearing to examine the implementation conservation programs of the 2002 Farm Bill, including the Environmental Quality Incentives Program (EQIP), the Ground and Surface Water Conservation Program, the Wetlands Reserve Program, the Grassland Reserve Program, Wildlife Habitat Incentives Program, and the Farm and Ranch Lands Protection Program, after receiving testimony from Bruce I. Knight, Chief, Natural Resources Conservation Service, and James R. Little, Administrator, Farm Service Agency, both of the Department of Agriculture; Al Christopherson, Minnesota Farm Bureau, Pennock, on behalf of the American Farm Bureau Federation; John K. Hansen, Nebraska Farmers Union, Lincoln, on behalf of the National Farmers Union; Bill Wilson, Haskell County Conservation District, Kinta, Oklahoma, on behalf of the National Association of Conservation Districts; Gordon Gallup, Idaho Grain Producers, Ririe, on behalf of the National Association of Wheat Growers, and other organizations; Jeffrey W. Nelson, Ducks Unlimited, Bismarck, North Dakota, on behalf of the Congressional Sportsmen's Foundation, and other organizations; David Petty, Eldora, Iowa, on behalf of the National Cattlemen's Beef Association; and Francis Thicke, Fairfield, Iowa, on behalf of the Sustainable Agriculture Coalition.

IRAQI PRISONERS

Committee on Armed Services: Committee resumed hearings to examine allegations of mistreatment of Iraqi prisoners, receiving testimony from Major General Antonio M. Taguba, USA, Deputy Commanding General for Support, Coalition Forces Land Component Command; Lieutenant General Lance L. Smith, USAF, Deputy Commander, U.S. Central Command; Stephen A. Cambone, Under Secretary of Defense for Intelligence; Lieutenant General Keith B. Alexander, USA, Deputy Chief of Staff, G–2, U.S. Army; Major General Ronald L. Burgess, Jr., USA, Director for Intelligence, J–2, The Joint Staff; and Major General Thomas J. Romig, USA, Judge Advocate General.

SMOKING IN MOVIES

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the impact of smoking in the movies on children, focusing on tobacco litigation and the 1998 Master Settlement Agreement, after receiving testimony from Maryland State Attorney General J. Joseph Curran, Jr., Baltimore; Jack Valenti, Motion Picture Association of America, Washington, D.C.; Madeline A. Dalton, Dartmouth Medical School, Hanover, New Hampshire; LeVar Burton, Directors Guild of America, Los Angeles, California; Stanton Glantz, University of California School of Medicine, San Francisco; and C. Steven Yerrid, Bank of America, Tampa, Florida.

NATIONAL FIRE PLAN

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the impacts and costs of the 2003 fire season, focusing on the problems faced last year and what problems agencies and the land they oversee may face next season, including aerial fire fighting assests and crew, and overhead availability, after receiving testimony from Mark Rey, Under Secretary of Agriculture for Natural Resources and Environment; and P. Lynn Scarlett, Assistant Secretary of the Interior for Policy, Management and Budget.

AIDS AND HUNGER

Committee on Foreign Relations: Committee concluded a hearing to examine the deadly intersection of AIDS and hunger, focusing on overseeing international food assistance and the implementation of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003, after receiving testimony from James T. Morris, Executive Director, World Food Program, United Nations, New York, New York; Randall L. Tobias, Global AIDS Coordinator, Department of State; and Andrew S. Natsios, Administrator, U.S. Agency for International Development.

DIPLOMA MILLS

Committee on Governmental Affairs: Committee held a hearing to examine allegations relevant to the issuance of bogus degrees, focusing on tax payer dollars subsidizing diploma mills, and the development of a government-wide policy to identify and discourage the use of bogus degrees, receiving testimony from Representative Tom Davis; Robert J. Cramer, Managing Director, and Paul DeSaulniers, Senior Special Agent, both of the Office of Special Investigations, General Accounting Office; Alan Contreras, Oregon Student Assistance Commission Office of Degree Authorization, Eugene; and Laurie Gerald, Aliso Viejo, California.

Hearings continue tomorrow.

ALZHEIMER'S RESEARCH

Committee on Health, Education, Labor, and Pensions: Subcommittee on Aging held a hearing to examine breakthroughs in Alzheimer's Disease (AD) research, focusing on risk factors for developing AD, developing safe, effective preventions and treatments for AD, and "The Maintain Your Brain" campaign, receiving testimony from Richard J. Hodes, Director, National Institute on Aging, National Institutes of Health, Department of Health and Human Services; John C. Morris, Washington University School of Medicine, St. Louis, Missouri; Peter V. Rabins, Johns Hopkins University School of Medicine, Baltimore, Maryland; and Stephen McConnell, Alzheimer's Association, Washington, D.C.

Hearing recessed subject to the call of the chair.

BIO-TERRORISM

Committee on the Judiciary: Subcommittee on Terrorism, Technology, and Homeland Security concluded a hearing to examine rapid bio-terrorism detection and response, focusing on point-of-care diagnostic devices, forensic work, emergency room facilities, and the medical care system's capability and capacity to respond to future terrorist attacks in the United States, after receiving testimony from Paul S. Keim, Northern Arizona University, Flagstaff; and Jeffrey Trent, Phoenix, Arizona, both of the Translational Genomics Research Institute; Harvey W. Meislin, University of Arizona Health Science Center, Tucson; and David A. Relman, Stanford University, Palo Alto, California.

House of Representatives

Chamber Action

Measures Introduced: 13 public bills, H.R. 4322–4340; and 4 resolutions, H. Con. Res. 420, and H. Res. 636–638, were introduced. **Page 9066**

Additional Cosponsors: **Page 9067**

Reports Filed: Reports were filed today as follows:

H.R. 3879, to authorize appropriations for the Coast Guard for fiscal year 2005, to amend various laws administered by the Coast Guard, amended (H. Rept. 108–482);

H. Res. 637, providing for consideration of H.R. 4275, to amend the Internal Revenue Code of 1986 to permanently extend the 10-percent individual income tax rate bracket (H. Rept. 108–483); and

H. Res. 638, providing for consideration of H.R. 4279, to amend the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements; for consideration of H.R. 4280, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system; and for consideration of H.R. 4281, to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees (H. Rept. 108–484). **Page 9066**

Speaker: Read a letter from the Speaker wherein he appointed Representative Pence to act as Speaker Pro Tempore for today. **Page 8984**

Recess: The House recessed at 1:12 p.m. and reconvened at 2 p.m. **Page 8988**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Tomochichi United States Courthouse Designation Act: H.R. 2523, to designate the United States courthouse located at 125 Bull Street in Savannah, Georgia, as the "Tomochichi United States Courthouse"; **Page 8990**

Authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run: H. Con. Res. 389, authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run; **Page 8992**

Mary Ann Collura Post Office Building Redesignation Act: H.R. 3939, to redesignate the facility of the United States Postal Service located at 14–24 Abbott Road in Fair Lawn, New Jersey, as the "Mary Ann Collura Post Office Building"; **Page 8996**

Dr. Miguel A. Nevarez Post Office Building Designation Act: H.R. 4299, to designate the facility of the United States Postal Service located at 410 South Jackson Road in Edinburg, Texas, as the "Dr. Miguel A. Nevarez Post Office Building", by a yea-and-nay vote of 405 yeas with none voting "nay", Roll No. 153; **Pages 8998, 9024**

Supporting the goals and ideals of Peace Officers Memorial Day: H. Res. 622, supporting the goals and ideals of Peace Officers Memorial Day, by a yea-and-nay vote of 404 yeas with none voting "nay", Roll No. 154; **Pages 9000, 9025**

Recognizing and honoring the tenth anniversary of Vietnam Human Rights Day: H. Res. 613, recognizing and honoring the tenth anniversary of Vietnam Human Rights Day; and **Page 9002**

Recognizing 50 years of relations between the United States Government and the European Union: H. Res. 577, amended, recognizing 50 years of relations between the United States Government and the European Union, by a yea-and-nay vote of 397 yeas to 7 nays, Roll No. 155. **Pages 9007, 9026**

Suspensions—Proceedings Postponed: The House postponed further proceedings on the following measures which were debated today under suspension of the rules:

Sense of the House regarding the military postal system: H. Res. 608, expressing the sense of the House of Representatives that the Department of Defense should rectify deficiencies in the military postal system to ensure that members of the Armed Forces stationed overseas are able to receive and send mail in a timely manner as well as receive and send election ballots in time to be counted in the 2004 elections; **Page 8992**

Recognizing the contributions of people of Indian origin to the United States: H. Con. Res. 352, recognizing the contributions of people of Indian origin to the United States and the benefits of working together with India towards promoting peace, prosperity, and freedom among all countries of the world; **Page 9004**

Calling on the Government of the Socialist Republic of Vietnam to release Father Thaddeus Nguyen Van Ly: H. Con. Res. 378, amended, calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Thaddeus Nguyen Van Ly; **Page 9010**

Recognizing the 60th anniversary of the Servicemen's Readjustment Act of 1944: H.J. Res. 91, recognizing the 60th anniversary of the Servicemen's Readjustment Act of 1944; and **Page 9015**

Recognizing those who contributed to the war effort during World War II and celebrating the completion of the National World War II Memorial: H. Con. Res. 409, recognizing with humble gratitude the more than 16,000,000 veterans who served in the United States Armed Forces during World War II and the Americans who supported the war effort on the home front and celebrating the completion of the National World War II Memorial on the National Mall in the District of Columbia. **Page 9019**

Recess: The House recessed at 5:55 p.m. and reconvened at 6:30 p.m. **Page 9024**

Budget Resolution for FY 2005—Motion to Instruct Conferees: Representative Pomeroy announced his intention to offer a motion to instruct conferees on S. Con. Res. 95, original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009. **Page 9026**

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004—Motion to Instruct Conferees: Representative George Miller (CA) announced his intention to offer a motion to instruct conferees on H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004. **Page 9034**

Presidential Message: Read a letter from the President wherein he transmitted notification of his issuance of an Executive Order declaring a national emergency with respect to the Government of Syria—referred to the Committee on International Relations (H. Doc. 108–184). **Page 9027**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages 9024–26. There were no quorum calls.

Adjournment: The House met at 12:30 p.m and adjourned at 11:48 p.m.

Committee Meetings

FASTER AND SMARTER FUNDING FOR FIRST RESPONDERS ACT OF 2004

Committee on Energy and Commerce: Subcommittee on Health held a hearing on H.R. 3266, Faster and Smarter Funding for First Responders Act of 2004. Testimony was heard from Representative Cox; Andrew T. Mitchell, Deputy Director, Office of Domestic Preparedness, Department of Homeland Security; and William Raub, Acting Assistant Secretary, Planning and Evaluation, Department of Health and Human Services.

"DOE NUCLEAR SECURITY: WHAT ARE THE CHALLENGES, AND WHAT'S NEXT?"

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "DOE Nuclear Security: What are the Challenges, and What's Next?" Testimony was heard from the following officials of the Department of Energy: Kyle E. McSlarrow, Deputy Secretary; Ambassador Lynton Brooks, Administrator, National Nuclear Security Administration; and Glenn Podonsky, Director, Office of Security and Safety Performance Assessment; Robin M. Nazzaro, Director, Natural Resources and Environment, GAO; and a public witness.

TERRORIST FINANCING AND MONEY LAUNDERING

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Terrorist Financing and Money Laundering Investigations: Who Investigates and How Effective Are They?" Testimony was heard from Marcy Forman, Deputy Assistant Director, Financial Investigations, U.S. Immigration and Customs Enforcement, Department of Homeland Security; the following officials of the Department of Justice: Donald C. Semesky, Chief, Office of Financial Operations, DEA; Michael Morehart, Section Chief, Terrorist Financing Operations Section, FBI; and John Roth, Chief, Criminal Division's Asset Forfeiture and Money Laundering Section; the following

officials of the Department of the Treasury: Dwight Sparlin, Director, Operations, Policy, and Support for the Criminal Investigations Branch, IRS; Bob Warner, Chief of Staff, FinCEN; and Daniel Glaser, Director, Money Laundering and Financial Crimes Section; Richard Stana, Director, Homeland Security and Justice, GAO; and a public witness.

COMBATING TERRORISM

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Combating Terrorism: Training and Equipping Reserve Component Forces." Testimony was heard from the following officials of the Department of Defense: ISG Gerald Neill, 323 Military Intelligence Battalion, U.S. Army Reserve, Maryland; SSG Juan SanchezLopez, 2nd Battalion 23rd Marine Reserves; SP Michael Tanguay, 143 Military Police Company, National Guard, Connecticut; LTG Steve J. Novotny, 530th Military Police Battalion, U.S. Army Reserve, Nebraska; BG Louis Weber, Director of Training, U.S. Army; LTG James R. Helmly, Chief of Army Reserve; LTG Roger C. Schultz, Director, Army National Guard; and LTG Edward Hanlon, Commandant, Marine Corps Combat Development Command; and public witnesses.

BRIEFING—CURRENT ISSUES IN WORLD HUNGER

Committee on International Relations: Held a briefing on Current Issues in World Hunger. The Committee was briefed by Ambassador Tony Hall, Food and Agriculture Organization of the United Nations.

THE AFRICAN GROWTH AND OPPORTUNITY ACT

Committee on International Affairs: Subcommittee on Africa held a hearing on The African Growth and Opportunity Act: Building Trade Capacity. Testimony was heard from Emmy Simmons, Assistant Administrator, Bureau for Economic Growth, Agriculture, and Trade, AID, Department of State; Florizelle H. Liser, Assistant U.S. Trade Representative for Africa; and a public witness.

PRIVATE RELIEF MEASURES

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims approved for full Committee action private relief bills.

MEDICARE CHRONIC CARE IMPROVEMENT PROGRAM

Committee on Ways and Means: Subcommittee on Health held a hearing on the Medicare Chronic Care Improvement Program. Testimony was heard from Mark McClennan, M.D., Administrator, Centers for Medicare and Medicaid, Services, Department of Health and Human Services; and public witnesses.

DISPOSITION OF UNUSED HEALTH BENEFITS IN CAFETERIA PLANS AND FLEXIBLE SPENDING ARRANGEMENTS; IMPROVE PATIENT ACCESS TO HEALTH CARE SERVICES AND IMPROVE MEDICAL CARE; AND SMALL BUSINESS HEALTH FAIRNESS ACT

Committee on Rules: Granted, by voice vote, a rule providing for consideration of H.R. 4279, to amend the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements, under a modified closed rule. The rule provides one hour of debate in the House on H.R. 4279 equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides for consideration of the amendment in the nature of a substitute printed in part A of the Rules Committee report accompanying the resolution, if offered by Representative Rangel of New York or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in part A of the report. The rule provides one motion to recommit H.R. 4279 with or without instructions.

Section 2 of the resolution provides for consideration of H.R. 4280, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, under a closed rule. The rule provides one hour of debate in the House on H.R. 4280 with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. The rule provides one motion to recommit H.R. 4280.

Section 3 of the resolution provides for consideration of H.R. 4281, Small Business Health Fairness Act of 2004, under a modified closed rule. The rule provides one hour of debate in the House on H.R. 4281 equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule provides for consideration of the amendment in the nature of a substitute printed in part B of the Rules Committee report accompanying the resolution, if offered by Representative Kind of Wisconsin or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in part B of the report. The rule provides one motion to recommit H.R. 4281 with or without instructions.

Section 4 of the resolution provides that in the engrossment of H.R. 4279 the clerk shall add the texts of H.R. 4280 and H.R. 4281 as passed by the House, as

new matter at the end of H.R. 4279, and then lay H.R. 4280 and H.R. 4281 on the table. Finally, the rule provides that if H.R. 4279 is disposed of without reaching the stage of engrossment, H.R. 4280 shall be treated in the manner specified for H.R. 4279 and only H.R. 4281 shall be laid on the table. Testimony was heard from Chairman Boehner and Representatives McCrery, Greenwood, Shadegg, Smith of Texas, Andrews, Kind, Wynn, Scott of Virginia, Sandlin and Baird.

PERMANENTLY EXTEND 10-PERCENT INDIVIDUAL TAX RATE BRACKET

Committee on Rules: Granted, by voice vote, a modified closed rule providing one hour of debate in the House on H.R. 4275, to amend the Internal Revenue Code of 1986 to permanently extend the 10-percent individual income tax rate bracket, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides for consideration of the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution, if offered by Representative Rangel of New York or his designee, which shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representative Sessions.

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Wednesday, May 12, 2004

Senate

Chamber Action

Routine Proceedings, pages 9085–9231

Measures Introduced: Three bills and five resolutions were introduced, as follows: S. 2412–2414, S. Res. 357–359, and S. Con. Res. 107–108. **Page 9220**

Measures Passed:

Authorizing Use of Capitol Grounds: Committee on Rules and Administration was discharged from further consideration of H. Con. Res. 388, authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service, and the resolution was then agreed to. **Page 9229**

Authorizing Use of Capitol Grounds: Senate agreed to H. Con. Res. 389, authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run. **Page 9230**

Free Enterprise Education Week: Senate agreed to S. Res. 359, designating the Week of April 11 through April 17, 2004, as "Free Enterprise Education Week." **Page 9230**

Recognizing Science Program Anniversary: Senate agreed to S. Con. Res. 107, recognizing the significance of the 30th anniversary of the American Association for the Advancement of Science Congressional Science and Engineering Fellowship Program, and reaffirming the commitment of Congress to support the use of science in governmental decision-making through such program. **Page 9230**

Supporting Tinnitus Awareness Week: Senate agreed to S. Con. Res. 108, supporting the goals and ideals of Tinnitus Awareness Week. **Page 9230**

IDEA Reauthorization: Pursuant to the order of May 11, 2004, Senate began consideration of S. 1248, to reauthorize the Individuals with Disabilities Education Act, taking action on the following amendments proposed thereto: **Page 9094**

Adopted:

By 96 yeas to 1 nay (Vote No. 92), Gregg Amendment No. 3145, to authorize appropriations for part B of the Individuals with Disabilities Education Act. **Page 9175**

Clinton Amendment No. 3146, to require the Department of Education to participate in the long-term child development study authorized under the Children's Health Act of 2000. **Page 9194**

Gregg Amendment No. 3147, to provide for attorney's fees. **Page 9197**

Murray Amendment No. 3148, to ensure that children with disabilities who are homeless, are wards of the State, who are in military families, or who move school districts have access to special education services. **Page 9201**

Pending:

Gregg (for Santorum) Amendment No. 3149, to provide for a paperwork reduction demonstration. **Page 9205**

During consideration of this measure today, the Senate also took the following action:

By 56 yeas to 41 nays (Vote No. 93), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, as amended, with respect to Harkin Amendment No. 3144, to amend part B of the Individuals with Disabilities Education Act to reach full Federal funding of such part in 6 years. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, as amended, was sustained, and the amendment thus falls. **Pages 9174, 9193**

A unanimous-consent-time agreement was reached providing that following morning business on Thursday, May 13, 2004, Senate resume consideration of the bill, that there be 30 minutes equally divided with respect to Gregg (for Santorum) Amendment No. 3149; that it be

in order for Senator Bingaman to offer one relevant second-degree amendment to Amendment No. 3149; that the only other amendment in order be a manager's amendment; that following the disposition of the amendments, there be 20 minutes of debate remaining on the bill. Page 9205

Messages From the House: Page 9217

Measures Referred: Page 9217

Executive Communications: Page 9218

Executive Reports of Committees: Page 9219

Additional Cosponsors: Page 9220

Statements on Introduced Bills/Resolutions: Page 9221

Additional Statements: Page 9215

Amendments Submitted: Page 9226

Authority for Committees to Meet: Page 9229

Privilege of the Floor: Page 9229

Record Votes: Two record votes were taken today. (Total—93) Pages 9193–94

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:31 p.m., until 9:30 a.m., on Thursday, May 13, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 9231.)

Committee Meetings

APPROPRIATIONS: DEPARTMENT OF DEFENSE

Committee on Appropriations: Subcommittee on Defense concluded hearings to examine proposed budget estimates for fiscal year 2005 for the Department of Defense, after receiving testimony from Donald H. Rumsfeld, Secretary, and Larry Lanzillotta, Acting Under Secretary (Comptroller), both of the Department of Defense; and General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff.

NOMINATIONS

Committee on Armed Services: On Tuesday, May 11, Committee ordered favorably reported the nominations of William A. Chatfield, of Texas, to be Director of Selective Service, Jerald S. Paul, of Florida, to be Principal Deputy Administrator, National Nuclear Security Administration, Mark Falcoff, of California, to be a Member of the National Security Education Board, Dionel M. Aviles, of Maryland, to be Under Secretary of the Navy, and Tina Westby Jonas, of Virginia, to be Under Secretary of Defense (Comptroller).

TELECOMMUNICATIONS POLICY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the future of telecommunications policy, focusing on a view from the industry relating to mobility and broadband networks, after receiving testimony from Ivan Seidenberg, Verizon Communications, Washington, D.C.; Brian L. Roberts, Comcast Corporation, Philadelphia, Pennsylvania; Scott Ford, ALLTEL Corporation, Little Rock, Arkansas; C. Garry Betty, EarthLink, Inc., Atlanta, Georgia; and Delbert Wilson, Central Texas Telephone Cooperative, Goldthwaite, Texas, on behalf of the National Telecommunications Cooperative Association.

GASOLINE

Committee on Environment and Public Works: Committee concluded a hearing to examine the environmental regulatory framework affecting oil refining and gasoline policy, focusing on domestic refining capacity, the fuel supply, reformulated gasoline, low-sulfur fuels, and reducing incentives for market manipulation, after receiving testimony from Bob Slaughter, on behalf of the National Petrochemical and Refiners Association, and the American Petroleum Institute, A. Blakeman Early, American Lung Association, and Mark Cooper, Consumer Federation of America, on behalf of the Consumers Union, all of Washington, D.C.; Michael Ports, Ports Petroleum Company, Inc, Wooster, Ohio, on behalf of the Society of Independent Gasoline Marketers of America and the National Association of Convenience Stores, and John R. Dosher, Jacobs Consultancy, Houston, Texas.

AFGHANISTAN

Committee on Foreign Relations: Committee concluded a hearing to examine continuing challenges in Afghanistan, focusing on allied efforts to defeat Al-Qaeda and to assist Afghanistan in building democracy and rebuilding its economy, after receiving testimony from Mark L. Schneider, International Crisis Group, Robert M. Perito, United States Institute of Peace, and David C. Isby, all of Washington, D.C.; and Thomas E. Gouttierre, University of Nebraska Center for Afghanistan Studies, Omaha.

DIPLOMA MILLS

Committee on Governmental Affairs: Committee concluded hearings to examine allegations relevant to the issuance of bogus degrees, focusing on tax payer dollars subsidizing diploma mills, and the development of a government-wide policy to identify and discourage the use of bogus degrees, after receiving testimony from Sally L. Stroup, Assistant Secretary of Education for Postsecondary Education; Stephen C. Benowitz, Associate Director, Human Resources Products and Services, Office of Personnel Management; Alan Contreras, Administrator, Oregon Student Assistance Commission Office of Degree Authorization, Eugene; Lieutenant Commander Claudia Gelzer, U.S. Coast Guard Detaille, Senate Committee on Governmental Affairs; and Andrew Coulombe, Ventura, California.

TRIBAL SELF-GOVERNANCE ACT

Committee on Indian Affairs: Committee concluded a hearing to examine S. 1715, to amend the Indian Self-Deter-

mination and Education Assistance Act to provide further self-governance by Indian tribes, after receiving testimony from David W. Anderson, Assistant Secretary for Indian Affairs, and William Sinclair, Director, Office of Self-Governance and Self-Determination, both of the Department of the Interior; D. Fred Matt, Confederated Salish and Kootenai Tribes, Pablo, Montana; Philip Baker-Shenk, Holland and Knight, Washington, D.C.; and Geoffrey Strommer, Hobbs, Strauss, Dean, and Walker, Portland, Oregon.

SATELLITE HOME VIEWER EXTENSION

Committee on the Judiciary: Committee concluded a hearing to examine S. 2013, to amend section 119 of title 17, United States Code, to extend satellite home viewer provisions, focusing on the statutory licensing regimes for over-the-air broadcast signals, royalty rates, and the transition to digital television, after receiving testimony from David O. Carson, General Counsel, Copyright Office, Library of Congress; Charles W. Ergen, EchoStar Communications Corporation, Littlewood, Colorado; Bruce T. Reese, Bonneville International Corporation, Salt Lake City, Utah, on behalf of the National Association of Broadcasters; Eddy W. Hartenstein, DIRECTV Group, Inc., El Segundo, California; Fritz Attaway, Motion Picture Association of America, Inc., Washington, D.C.; and John King, Vermont Public Television, Colchester.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 17 public bills, H.R. 4341–4357; and 4 resolutions, H. Con. Res. 421, and H. Res. 639–641 were introduced. **Page 9335**

Additional Cosponsors: **Page 9336**

Reports Filed: Reports were filed today as follows:

H. Con. Res. 414, expressing the sense of the Congress that, as Congress recognizes the 50th anniversary of the Brown v. Board of Education decision, all Americans are encouraged to observe this anniversary with a commitment to continuing and building on the legacy of Brown (Rept. 108–485). **Page 9335**

Speaker: Read a letter from the Speaker wherein he appointed Representative LaHood to act as Speaker Pro Tempore for today. **Page 9232**

Chaplain: The prayer was offered today by Rev. Cynthia L. Hale, Pastor, Ray of Hope Christian Church in Decatur, Georgia. **Page 9232**

Amending the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements: The House passed H.R. 4279, to amend the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements, by a yea-and-nay vote of 273 yeas to 152 nays, Roll No. 163. **Page 9253**

Rejected the Stark motion to recommit the bill to the Committee on Ways and Means with instructions to report the bill back to the House forthwith with an amendment, by a recorded vote of 202 ayes to 224 noes, Roll No. 162. **Page 9266**

Rejected the Stark amendment in the nature of a substitute printed in part A of H. Rept. 108–484, by a recorded vote of 197 ayes to 230 noes, Roll No. 161. **Page 9259**

H. Res. 638, the rule providing for consideration of the bill was agreed to by a recorded vote of 224 ayes to 203 noes, Roll No. 158, after agreeing to order the previous question by a yea-and-nay vote of 222 yeas to 202 nays, Roll No. 157. **Pages 9236, 9250**

Permanent Extension of 10-Percent Individual Income Tax Rate Bracket bill: The House agreed to H. Res. 637, the rule providing for consideration of H.R. 4275, to amend the Internal Revenue Code of 1986 to permanently extend the 10-percent individual income tax rate bracket, by a voice vote, after agreeing to order the previous question by a yea-and-nay vote of 221 yeas to 203 nays, Roll No. 156. **Page 9244**

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004—Motion to Instruct Conferees: The House agreed to table the motion to instruct conferees on H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, offered by Representative George Miller (CA), by a recorded vote of 222 ayes to 205 noes, Roll No. 159. **Page 9251**

Later Representative George Miller (CA) announced his intention to offer a motion to instruct conferees on the bill. **Page 9293**

Help Efficient, Accessible, Low-Cost, Timely Healthcare (HEALTH) Act of 2004: The House passed H.R. 4280, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, by a recorded vote of 229 ayes to 197 noes, Roll No. 166. **Page 9269**

Rejected the Conyers motion to recommit the bill to the Committees on the Judiciary, and Energy and Com-

merce with instructions to report the bill back to the House forthwith with amendments, by a yea-and-nay vote of 193 yeas to 231 nays, Roll No. 165. Page 9286

H. Res. 638, the rule providing for consideration of the bill was agreed to earlier by a recorded vote of 224 yeas to 203 nays, Roll No. 158. Page 9251

Suspensions—Proceedings Postponed: The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, May 11:

Sense of the House regarding the military postal system: H. Res. 608, expressing the sense of the House of Representatives that the Department of Defense should rectify deficiencies in the military postal system to ensure that members of the Armed Forces stationed overseas are able to receive and send mail in a timely manner as well as receive and send election ballots in time to be counted in the 2004 elections, by a ⅔ yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 160; Page 9252

Recognizing the contributions of people of Indian origin to the United States: H. Con. Res. 352, recognizing the contributions of people of Indian origin to the United States and the benefits of working together with India towards promoting peace, prosperity, and freedom among all countries of the world, by a ⅔ yea-and-nay vote of 415 yeas to 2 nays and 2 voting "present", Roll No. 164; Page 9269

Calling on the Government of the Socialist Republic of Vietnam to release Father Thaddeus Nguyen Van Ly: H. Con. Res. 378, amended, calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Thaddeus Nguyen Van Ly, by a ⅔ yea-and-nay vote of 424 yeas with one voting nay, Roll No. 167; Page 9291

Recognizing those who contributed to the war effort during World War II and celebrating the completion of the National World War II Memorial: H. Con. Res. 409, recognizing with humble gratitude the more than 16,000,000 veterans who served in the United States Armed Forces during World War II and the Americans who supported the war effort on the home front and celebrating the completion of the National World War II Memorial on the National Mall in the District of Columbia, by a ⅔ yea-and-nay vote of 422 yeas with none voting "nay", Roll No. 168. Page 9292

50th Anniversary of the Brown v. Board of Education decision—Order of Business: The House agreed that it shall be in order at any time without intervention of any point of order to consider H. Con. Res. 414, expressing the sense of the Congress that, as Congress recognizes the 50th anniversary of the Brown v. Board of Education decision, all Americans are encouraged to observe this anniversary with a commitment to continuing and building on the legacy of Brown; that the concurrent resolution be considered as read for amendment; and that the previous question be considered as ordered on the concurrent resolution to final adoption without intervening motion or demand for a division of the question except (1) 30 minutes of debate on the concurrent resolution equally divided and controlled by chairman and ranking minority member of the Committee on the Judiciary and (2) one motion to recommit. Page 9291

Budget Resolution for FY 2005—Motion to Instruct Conferees: The House debated the Pomeroy motion to instruct conferees on S. Con. Res. 95, original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009. Further proceedings were postponed. Page 9293

Quorum Calls—Votes: Eight yea-and-nay votes and five recorded votes developed during the proceedings of today and appear on pages 9249–53, 9266–69, and 9290–92. There were no quorum calls.

Adjournment: The House met at 10 a.m and adjourned at 12 midnight.

Committee Meetings

LEGISLATIVE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative held a hearing on the Library of Congress; the Architect of the Capitol; and the Capitol Visitor Center. Testimony was heard from James H. Billington, The Librarian of Congress; and Alan M. Hantman, Architect of the Capitol.

TRANSPORTATION, TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury and Independent Agencies held a hearing on Election Assistance Commission. Testimony was heard from Deforest B. Soaries, Chairman, Election Assistance Commission.

NATIONAL DEFENSE AUTHORIZATION ACT; MISCELLANEOUS MEASURES

Committee on Armed Services: Ordered reported the following bills: H.R. 4323, To amend title 10, United States Code, to provide rapid acquisition authority to the Secretary of Defense to respond to combat emergencies; H.R. 4322, To provide for the establishment of the headquarters for the Department of Homeland Security in the District of Columbia, to require the transfer of administrative jurisdiction over the Nebraska Avenue Naval Complex; and H.R. 4200, amended, National Defense Authorization Act for Fiscal Year 2005.

COLLEGE ACCESS AND OPPORTUNITY ACT

Committee on Education and the Workforce: Held a hearing on H.R. 4283, College Access and Opportunity Act of 2004. Testimony was heard from public witnesses.

DIGITAL MEDIA CONSUMERS' RIGHTS ACT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing on H.R. 107, Digital Media Consumers' Rights Act of 2003. Testimony was heard from Representatives Boucher and Doolittle; and public witnesses.

NIH ETHICS CONCERNS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "NIH Ethics Concerns: Consulting Arrangements and Outside Awards." Testimony was heard from Elias Zerhouni, M.D., Director, NIH, Department of Health and Human Services; and the following officials of the National Academy of Sciences: Bruce Alberts, President; and Norman R. Augustine, Co-Chair, Blue Ribbon Panel on Conflict of Interest Policies.

STOCK OPTION ACCOUNTING REFORM ACT

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises approved for full Committee action, as amended, H.R. 3574, Stock Option Accounting Reform Act.

COMMUNITY-BASED BANKS REGULATORY RELIEF

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Cutting Through the Red Tape: Regulatory Relief for America's Community-Based Banks." Testimony was heard from Wayne A. Abernathy, Assistant Secretary, Financial Institutions, Department of the Treasury; John M. Reich, Vice Chairman, FDIC; and public witnesses.

DC CIVIL COMMITMENT MODERNIZATION ACT; POSTAL ACCOUNTABILITY AND ENHANCEMENT ACT; PAPERWORK AND REGULATORY IMPROVEMENTS ACT

Committee on Government Reform: Ordered reported the following measures: H.R. 4302, District of Columbia Civil Commitment Modernization Act of 2004; and H. Res. 612, amended, Recognizing and honoring the firefighters, police, public servants, civilians, and private businesses who responded to the devastating fire in Richmond, Virginia, on March 26, 2004; H.R. 4341, Postal Accountability and Enhancement Act; and H.R. 2432, amended, Paperwork and Regulatory Improvements Act of 2003.

EXPLORING HUMAN RIGHTS ABUSES—KASHMIR AND DISPUTED TERRITORIES

Committee on Government Reform: Subcommittee on Human Rights and Wellness held a hearing entitled "Decades of Terror: Exploring Human Rights Abuses in Kashmir and the Disputed Territories." Testimony was heard from the following officials of the Department of State: Michael Kozak, Principal Deputy Assistant Secretary, Bureau of Democracy, Human Rights and Labor; and Don Camp, Deputy Assistant Secretary, Bureau of South Asian Affairs; and public witnesses.

UN CONVENTION ON THE LAW OF THE SEA

Committee on International Relations: Held a hearing on The United Nations Convention on the Law of the Sea. Testimony was heard from William H. Taft, IV, Legal Advisor, Department of State; ADM Michael G. Mullen, USN, Vice Chief of Naval Operations, Department of the Navy; and public witnesses.

UKRAINE'S FUTURE AND U.S. INTERESTS

Committee on International Relations: Subcommittee on Europe held a hearing on Ukraine's Future and United States Interests. Testimony was heard from Steven Pifer, Deputy Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Subcommittee on the Middle East and Central Asia approved for full Committee action, as amended, the following measures: H. Con. Res. 319, Expressing the grave concern of Congress regarding the continuing repression of the religious freedom and human rights of the Iranian Baha'i community by the Government of Iran; H. Con. Res. 363, Expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian people by the Government of the Syrian Arab Republic; H. Res. 615, Expressing the sense of the House of Representatives in support of full membership of Israel in the Western European and Others Group (WEOG) at the United Nations; and H. Res. 617, Expressing support for the accession of Israel to the Organization for Economic Co-operation Development (OECD).

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following measures: H. Con. Res. 414, Recognizing the 50th anniversary of Brown v. Board of Education; H.R. 3754, amended, Fraudulent Online Identity Sanctions Act; H.R. 1731, amended, Identity Theft Penalty Enhancement Act; S. 1301, amended, Video Voyeurism Prevention Act of 2003; and H.R. 1678, amended, Anti-Hoax Terrorism Act of 2003.

The Committee began markup of H.R. 2179, Securities Fraud Deterrence and Investor Restitution Act of 2003.

The Committee also approved private relief bills.

OVERSIGHT—REORGANIZATION OF TRUST MANAGEMENT

Committee on Resources: Held an oversight hearing on the current reorganization of trust management at the Bureau of Indian Affairs and the Office of the Special Trustee. Testimony was heard from the following officials of the Department of the Interior: Aurene Martin, Principal Deputy Assistant Secretary for Indian Affairs; and Ross O. Swimmer, Special Trustee for American Indians; and public witnesses.

ASSISTANCE TO FIREFIGHTERS GRANT REAUTHORIZATION ACT OF 2004

Committee on Science: Held a hearing on H.R. 4107, Assistance to Firefighters Grant Reauthorization Act of 2004. Testimony was heard from Representative Pascrell; the following officials of the Department of Homeland Security: R. David Paulison, Administrator, U.S. Fire Administration, Emergency and Preparedness Response Directorate; and Andrew Mitchell, Deputy Director, Office of Domestic Preparedness, Border and Transportation Security Directorate; and public witnesses.

WOMEN'S ENTREPRENEURSHIP: SUCCESSES AND CHALLENGES

Committee on Small Business: Held a hearing entitled "Women's Entrepreneurship: Successes and Challenges." Testimony was heard from Melanie Sabelhaus, Deputy Administrator, SBA; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Ordered reported the following: a Fiscal Year 2005 Capital Investment and Leasing Program resolution; H.R. 3428, To designate a portion of the United States courthouse located at 2100 Jamieson Avenue, in Alexandria, Virginia, as the "Justin W. Williams United States Attorney's Building"; H.R. 3734, To designate the Federal building at Fifth and Richardson Avenues in Roswell, New Mexico, as the "Joe Skeen Federal Building"; H.R. 3742, To designate the United States courthouse and post office building located at 93 Atocha Street in Ponce, Puerto Rico, as the "Luis A. Ferre United States Courthouse and Post Office Building"; H.R. 3884, To designate the Federal building and United States courthouse located at 615 East Houston Street in San Antonio, Texas, as the "Hipolito F. Garcia Federal Building and United States Courthouse"; H.R. 4056, amended, Commercial Aviation MANPADS Defense Act of 2004; H.R. 4226, amended, Cape Town Treaty Implementation Act of 2004; H.R. 4251, amended, Maritime Transportation Amendments of 2004; a resolution on National Transportation Week; and H. Con. Res. 420, Applauding the men and women who keep America moving and recognizing National Transportation Week.

BRIEFING ON IRAQI PRISONER SITUATION UPDATE

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Iraqi Prisoner Situation Update. The Committee was briefed by departmental witnesses.

ALIGNING CIA HUMINT

Permanent Select Committee on Intelligence: Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to hold a hearing on Aligning CIA HUMINT. Testimony was heard from departmental witnesses.

TRANSPORTATION SECURITY ADMINISTRATION'S PROGRESS IN ENHANCING SECURITY

Select Committee on Homeland Security: Subcommittee on Infrastructure and Border Security held a hearing entitled "The Transportation Security Administration's Progress in Enhancing Security." Testimony was heard from Stephen J. McHale, Deputy Administrator, Transportation Security Administrator, Department of Homeland Security.

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Thursday, May 13, 2004

Senate

Chamber Action

Routine Proceedings, pages 9364–9471

Measures Introduced: Nine bills and three resolutions were introduced, as follows: S. 2415–2423, and S. Res. 360–362. **Page 9456**

Measures Reported:

S. 2238, to amend the National Flood Insurance Act of 1968 to reduce losses to properties for which repetitive flood insurance claim payments have been made, with amendments. (S. Rept. No. 108–262)

S. 1164, to provide for the development and coordination of a comprehensive and integrated United States research program that assists the people of the United States and the world to understand, assess, and predict human-induced and natural processes of abrupt climate change. (S. Rept. No. 108–263)

S. 1721, to amend the Indian Land Consolidation Act to improve provisions relating to probate of trust and restricted land, with an amendment in the nature of a substitute. (S. Rept. No. 108–264)

S. Res. 331, designating June 2004 as "National Safety Month".

S. 1609, to make aliens ineligible to receive visas and exclude aliens from admission into the United States for

nonpayment of child support, with an amendment in the nature of a substitute. Page 9456

Measures Passed:

IDEA Reauthorization: Committee on Health, Education, Labor and Pensions was discharged from further consideration of H.R. 1350, to reauthorize the Individuals with Disabilities Education Act, and by 95 yeas to 3 nays (Vote No. 94), Senate passed the bill, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 1248, Senate companion measure, and after taking action on the following amendments proposed thereto: Page 9375

Adopted:

Gregg/Kennedy Amendment No. 3150, to provide a manager's amendment. Page 9375

Gregg (for Santorum) Modified Amendment No. 3149, to provide for a paperwork reduction demonstration. Page 9388

Subsequently, S. 1248 was returned to the calendar. Page 9393

Department of Defense Authorization Act—Agreement: A unanimous-consent agreement was reached providing for the consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, at 2:30 p.m., on Monday, May 17, 2004. Page 9470

Service Medals Act—Agreement: A unanimous-consent agreement was reached providing that, at a time determined by the Majority Leader, after consultation with the Democratic Leader, Senate begin consideration of H.R. 3104, to provide for the establishment of separate campaign medals to be awarded to members of the uniformed services who participate in Operation Enduring Freedom and to members of the uniformed services who participate in Operation Iraqi Freedom, on Tuesday, May 18, 2004, and that there be 20 minutes for debate and Senate then vote on final passage of the bill. Page 9470

Nominations Received: Senate received the following nominations:

Linda Mysliwy Conlin, of New Jersey, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2007.

Linda Morrison Combs, of North Carolina, to be an Assistant Secretary of Transportation.

John O. Colvin, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years. (Reappointment)

Cynthia G. Efird, of the District of Columbia, to be Ambassador to the Republic of Angola.

Tom C. Korologos, of the District of Columbia, to be Ambassador to Belgium.

Eugene Hickok, of Pennsylvania, to be Deputy Secretary of Education.

Edward R. McPherson, of Texas, to be Under Secretary of Education.

20 Navy nominations in the rank of admiral. Page 9470

Messages From the House: Page 9455

Measures Referred: Page 9455

Executive Communications: Page 9455

Executive Reports of Committees: Page 9456

Additional Cosponsors: Page 9457

Statements on Introduced Bills/Resolutions: Page 9458

Additional Statements: Page 9452

Amendments Submitted: Page 9468

Authority for Committees to Meet: Page 9469

Privilege of the Floor: Page 9470

Text of H.R. 1350, as Previously Passed: Page 9393

Record Votes: One record vote was taken today. (Total—94) Page 9393

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:22 p.m., until 9:30 a.m., on Friday, May 14, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 9470.)

Committee Meetings

COMMODITY FUTURES TRADING COMMISSION REGULATORY ISSUES

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine Commodity Futures Trading Commission regulatory issues, focusing on how the markets have evolved in response to the Commodity Futures Modernization Act of 2000, after receiving testimony from James E. Newsome, Chairman, Commodity Futures Trading Commission.

CONTINGENCY RESERVE FUND

Committee on Armed Services: Committee concluded a hearing to examine the contingency reserve fund request for fiscal year 2005, after receiving testimony from Paul D. Wolfowitz, Deputy Secretary, and Larry Lanzillotta, Acting Under Secretary (Comptroller), both of the Department of Defense; General Peter Pace, USMC, Vice Chairman of the Joint Chiefs of Staff; and Joel D. Kaplan, Deputy Director, Office of Management and Budget.

CONTRACTING IN IRAQ

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded a hearing to examine acquisition policy issues in review of the Defense Authorization Request for fiscal year 2005, after receiving testi-

mony from Michael W. Wynne, Acting Under Secretary of Defense for Acquisition, Technology and Logistics; Tina Ballard, Deputy Assistant Secretary of the Army for Policy and Procurement; Major General Carl Strock, USA, Director of Civil Works, U.S. Army Corps of Engineers; and Major General Wade H. McManus, Jr., USA, Commanding General, U.S. Army Field Support Command.

DOD TASK FORCE

Committee on Armed Services: Committee met in closed session to receive a briefing on the Report of the Department of Defense Task Force on Care for Victims of Sexual Assault from Ellen P. Embrey, Deputy Assistant for Force Health Protection and Readiness, and David S.C. Chu, Under Secretary for Personnel and Readiness, both of the Department of Defense.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nomination of Major General David H. Petraeus, USA, to be lieutenant general and Chief, Office of Security Transition—Iraq.

IMPACT OF MARRIAGE AND DIVORCE

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space concluded a hearing to examine social science data on the impact of marriage and divorce on children, focusing on marital education, trends in cohabitation, and out-of-wedlock births, after receiving testimony from Gordon Berlin, MDRC, Inc., New York, New York; Steven L. Nock, University of Virginia Department of Sociology, Charlottesville; Nicholas Zill, Westat, Inc., Rockville, Maryland; Gerald L. Campbell, Impact Group, Inc., Oakton, Virginia; and Patrick F. Fagan, Heritage Foundation, and Margy Waller, Brookings Institute, both of Washington, D.C.

MULTILATERAL DEVELOPMENT BANK CORRUPTION

Committee on Foreign Relations: Committee concluded a hearing to examine combating corruption in the multilateral development banks, focusing on improving governance, increasing transparency and combating corruption, after receiving testimony from Carole Brookins, The World Bank, Hector Morales, Inter-American Development Bank, Manish Bapna, Bank Information Center, Nancy Zucker Boswell, Transparency International—USA, and Jerome I. Levinson, American University Washington College of Law, all of Washington, D.C.; and Jeffrey A. Winters, Northwestern University Department of Politics, Evanston, Illinois.

TRADE AND TOURISM IN A TIME OF TERRORISM

Committee on Foreign Relations: Subcommittee on European Affairs concluded a hearing to examine challenges and accomplishments as the European Union and the United States promote trade and tourism in a terrorism environment, after receiving testimony from Stewart Verdery, Assistant Secretary of Homeland Security for Border and Transportation Security; Jonathan Faull, Director General, European Commission, Brussels, Belgium; Bill Connors, National Business Travel Association, Alexandria, Virginia; and Christopher L. Koch, World Shipping Council, Washington, D.C.

RAISING PREMATURE BABIES

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families concluded a hearing to examine causes, research and prevention of premature births, after receiving testimony from Duane F. Alexander, Director, National Institute of Child Health and Human Development, National Institutes of Health, Peter C. Van Dyck, Associate Administrator for Child and Maternal Health, Health Resources and Services Administration, and Eve Lackritz, Chief, Maternal and Infant Health Branch, Division of Reproductive Health, National Center for Chronic Disease Prevention and Health Promotion, Centers for Disease Control and Prevention, all of the Department of Health and Human Services; Jennifer L. Howse, March of Dimes, White Plains, New York; Charles J. Lockwood, Yale University Medical School Department of Obstetrics, Gynecology, and Reproductive Sciences, New Haven, Connecticut; and Kelly Bolton Jordon, Memphis, Tennessee.

BUSINESS MEETING

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights, and Property Rights ordered favorably reported to the full Committee, S.J. Res. 23, proposing an amendment to the Constitution of the United States providing for the event that one-fourth of the members of either the House of Representatives or the Senate are killed or incapacitated, with an amendment.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1609, to make aliens ineligible to receive visas and exclude aliens from admission into the United States for nonpayment of child support, with an amendment in the nature of a substitute;

S. Res. 331, designating June 2004 as "National Safety Month".

Also, Committee began consideration of S. 1735, to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang

prevention programs, but did not complete action thereon.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 12 public bills, H.R. 4358–4369; and 6 resolutions, H. Con. Res. 422–426, and H. Res. 642, were introduced. Page 9567

Additional Cosponsors: Page 9568

Reports Filed: Reports were filed today as follows:

H.R. 2729, to amend the Occupational Safety and Health Act of 1970 to provide for greater efficiency at the Occupational Safety and Health Review Commission, amended (H. Rept. 108–486);

H.R. 2728, to amend the Occupational Safety and Health Act of 1970 to provide for adjudicative flexibility with regard to an employer filing of a notice of contest following the issuance of a citation by the Occupational Safety and Health Administration, amended (H. Rept. 108–487);

H.R. 2730, to amend the Occupational Safety and Health Act of 1970 to provide for an independent review of citations issued by the Occupational Safety and Health Administration, amended, referred sequentially to the House Committee on the Judiciary for a period ending not later than May 17, 2004 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X. (H. Rept. 108–488, Pt. 1); and

H.R. 2731, to amend the Occupational Safety and Health Act of 1970 to provide for the award of attorney's fees and costs to very small employers when they prevail in litigation prompted by the issuance of citations by the Occupational Safety and Health Administration, amended, referred sequentially to the House Committee on the Judiciary for a period ending not later than May 17, 2004 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X. (H. Rept. 108–489, Pt. 1). Page 9567

Chaplain: The prayer was offered today by Rev. Dr. Larry D. Pickens, Senior Pastor, First United Methodist Church in Elgin, Illinois. Page 9472

50th Anniversary of the Brown v. Board of Education decision: The House agreed to H. Con. Res. 414, expressing the sense of the Congress that, as Congress recognizes the 50th anniversary of the Brown v. Board of Education decision, all Americans are encouraged to observe this anniversary with a commitment to continuing and building on the legacy of Brown, by a yea-and-nay vote of 406 yeas to 1 nay, Roll No. 176. Pages 9476, 9539

The measure was considered under a unanimous consent agreement reached on Wednesday, May 12.

Permanent Extension of 10-Percent Individual Income Tax Rate Bracket bill: The House passed H.R. 4275, to amend the Internal Revenue Code of 1986 to permanently extend the 10-percent individual income tax rate bracket, by a recorded vote of 344 ayes to 76 noes, Roll No. 170. Page 9484

Rejected the Tanner amendment in the nature of a substitute, printed in H. Rept 108–483, by a yea-and-nay vote of 190 yeas to 227 nays, Roll No. 169. Page 9493

H. Res. 637, the rule providing for consideration of the bill was agreed to on Wednesday, May 12.

Budget Resolution for FY 2005—Motion to Instruct Conferees: The House rejected the Pomeroy motion to instruct conferees on S. Con. Res. 95, original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009, by a yea-and-nay vote of 207 yeas to 211 nays, Roll No. 171. Page 9501

Small Business Health Fairness Act of 2004: The House passed H.R. 4281, to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees, by a yea-and-nay vote of 252 yeas to 162 nays and one voting "present", Roll No. 174. Page 9502

Rejected the McCarthy motion to recommit the bill to the Committee on Education and the Workforce with instructions to report the bill back to the House forthwith with amendments, by a recorded vote of 196 ayes to 218 noes, Roll No. 173. Page 9536

Rejected the Kind amendment in the nature of a substitute printed in part B of H. Rept. 108–484, by a yea-and-nay vote of 193 yeas to 224 nays, Roll No. 172. Page 9528

H. Res. 638, the rule providing for consideration of the bill was agreed on Wednesday, May 12.

Pursuant to section 4 of H. Res. 638, the text of H.R 4280 and H.R. 4281 will be appended to the engrossment of H.R. 4279, and H.R. 4280 and H.R. 4281 shall be laid on the table. Page 9538

Also pursuant to section 4 of H. Res. 638, the title of H.R. 4279 is conformed to reflect the addition of the text of H.R. 4280 and H.R. 4281. Conformed so as to read: to amend the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in

cafeteria plans and flexible spending arrangements, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, and to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees.

Suspensions—Proceedings Postponed: The House agreed to suspend the rules and pass the following measure which was debated on Tuesday, May 11:

Recognizing the 60th anniversary of the Servicemen's Readjustment Act of 1944: H.J. Res. 91, recognizing the 60th anniversary of the Servicemen's Readjustment Act of 1944, by a ⅔ yea-and-nay vote of 409 yeas with none voting "nay", Roll No. 175. **Page 9538**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12:30 p.m. on Monday, May 17 for morning hour debate and further, that when the House adjourns on that day, it adjourn to meet at 9 a.m. on Tuesday, May 18 for morning hour debate as though after May 31, 2004, thereafter to resume its session at 10 a.m. **Page 9542**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, May 19. **Page 9542**

Mexico-United States Interparliamentary Group—Appointments: The Chair announced the Speaker's appointment of the following members of the House to the Mexico-United States Interparliamentary Group: Representatives Kolbe (Chairman), Ballenger (Vice Chairman), Dreier, Barton (TX), Manzullo, Weller, and Stenholm. **Page 9542**

Senate Message: Message received from the Senate today appears on page 9472.

Senate Referral: S. Con. Res. 107 was held at the desk and S. Con. Res. 108 was referred to the Committee on Energy and Commerce. **Page 9566**

Quorum Calls—Votes: Six yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages 9500–02, 9535, and 9537–39. There were no quorum calls.

Adjournment: The House met at 10 a.m and adjourned at 8:49 p.m.

Committee Meetings

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing and Related Programs held a hearing on Millennium Challenge Corporation. Testimony was heard from Andrew S. Natsios, Administrator, U.S. Agency for International Development, Department of State; and Paul Applegarth, CEO, Millennium Challenge Corporation.

IMPROVING ACCESS TO ASSISTIVE TECHNOLOGY FOR INDIVIDUALS WITH DISABILITIES ACT OF 2004

Committee on Education and the Workforce: Subcommittee on 21st Century Competitiveness approved for full Committee action, as amended, H.R. 4278, Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004.

EXAMINING THE FEDERAL EMPLOYEES' COMPENSATION ACT AND ITS BENEFITS FOR WORKERS

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing entitled "Examining the Federal Employees' Compensation Act and Its Benefits for Workers." Testimony was heard from the following officials of the Department of Labor: Shelby Hallmark, Director, Office of Workers' Compensation Programs; and Elliot Lewis, Assistant Inspector General, Audit; and public witnesses.

"THE US-EU REGULATORY DIALOGUE AND ITS FUTURE"

Committee on Financial Services: Held a hearing entitled "The US-EU Regulatory Dialogue and Its Future." Testimony was heard from Randal Quarles, Assistant Secretary, International Affairs, Department of the Treasury; Ethiopia Tafara, Director, Office of International Affairs, SEC; Susan Bies, Governor, Federal Reserve Board, Federal Reserve System; and public witnesses.

HARNESSING SCIENCE

Committee on Government Reform: Held a hearing entitled "Harnessing Science: Advancing Care by Accelerating the Rate of Cancer Clinical Trial Participation." Testimony was heard from the following officials of the Department of Health and Human Services: Michaele Christian, M.D., Associate Director, Division of Cancer Treatment and Diagnosis, Cancer Therapy Evaluation Program, National Cancer Institute; and Richard Pazdur, M.D., Director, Division of Oncology Drug Products, Center for Drug Evaluation and Research, FDA; and public witnesses.

IRAQ—TRANSFER OF SOVEREIGNTY

Committee on International Relations: Held a hearing on The Imminent Transfer of Sovereignty in Iraq. Testimony was heard from Marc Grossman, Under Secretary, Political Affairs, Department of State; and the following officials of the Department of Defense: Stephen A. Cambone, Under Secretary, Intelligence; Peter Rodman, Assistant Secretary, International Security Affairs; and LTG Walter L. Sharp, USA, Director, Strategic Plans and Policy, The Joint Chiefs of Staff.

BUSINESS ACTIVITY TAX SIMPLIFICATION ACT

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 3220, Business Activity Tax Simplification Act of 2003. Testimony was heard from Jamie Van Fossen, Representative, State of Iowa; Rick Clayburgh, Tax Commissioner, State of North Dakota; and public witnesses

MISCELLANEOUS MEASURES; FEDERAL MARRIAGE AMENDMENT

Committee on the Judiciary: Subcommittee on the Constitution approved for full Committee action the following measures: H.J. Res. 568, amended, Expressing the sense of the House of Representatives that Judicial determinations regarding the meaning of the laws of the United States should not be based on judgments, laws, or pronouncements of foreign institutions unless such foreign judgments, laws, or pronouncements inform an understanding of the original meaning of the laws of the United States; and H.R. 1775, To amend title 36, United States Code, to designate the oak tree as the national tree of the United States.

The Subcommittee also held a hearing on H.J. Res. 56, Proposing an amendment to the Constitution of the United States relating to marriage. Testimony was heard from Representatives Musgrave and Frank; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held a hearing on the following bills: H.R. 3433, To transfer federal lands between the Secretary of Agriculture and the Secretary of the Interior; H.R. 3479, Brown Tress Snake Control and Eradication Act of 2003; H.R. 4027, To authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center; and H.R. 4158, To provide for the conveyance to the Government of Mexico of a decommissioned National Oceanic and Atmospheric Administration ship. Testimony was heard from Representatives Ros-Lehtinen, Emerson and Case; the following officials of the Department of the Interior: James Tate, Jr., Science Advisor to the Secretary; and William Hartwig, Assistant Director, National Wildlife Refuge System, U.S. Fish and Wildlife Service; the following officials of the USDA: William Clay, Deputy Administrator of Wildlife Services, Animal and Plant Health Inspection Service; and Christopher Pyron, Deputy Chief, Business Operations, Forest Service; the following officials of Guam: Felix P. Camacho, Governor; and Senator Tiana Muna Barnes; Pedro A. Tenorio, Resident Representative to the United States, Commonwealth of the Northern Mariana Islands; and a public witness.

OVERSIGHT—FIREFIGHTING PREPAREDNESS

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing entitled "Firefighting Preparedness: Are we ready for the 2004 Wildlife Season?" Testimony was heard from Mark Rey, Under Secretary, Natural Resources and Environment, USDA; Lynn Scarlett, Assistant Secretary, Policy, Management and Budget, Department of the Interior; Ellen Engleman Conners, Chairman, National Transportation Safety Board; and James B. Hull, Forester, Forest Service, State of Texas and Co-Chair, Blue Ribbon Panel on Federal Aerial Firefighting.

FEDERAL HIGH-PERFORMANCE COMPUTING R&D

Committee on Science: Held a hearing to examine federal high-performance computing research and development activities and to consider H.R. 4218, High-Performance Computing Revitalization Act of 2004. Testimony was heard from John H. Marburger III, Director, Office of Science and Technology Policy; and public witnesses.

OVERSIGHT—FAA'S AIR TRAFFIC ORGANIZATION

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Avoiding Summer Delays and a Review of the FAA's Air Traffic Organization. Testimony was heard from Stephen J. McHale, Deputy Administrator, Transportation Security Administration, Department of Homeland Security; and the following officials of the FAA, Department of Transportation: Marion C. Blakey, Administrator; and Russell G. Chew, Chief Operating Officer.

OVERSIGHT—ACTS OF TERROR—PREPAREDNESS AND FIRST RESPONDER FUNDING

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management held an oversight hearing on How to Best Prepare for Acts of Terror: National Preparedness and First Responder Funding. Testimony was heard from William O. Jenkins, Director, Homeland Security and Justice, GAO; Andrew Mitchell, Deputy Director, Office of Domestic Preparedness, Department of Homeland Security; and George W. Foresman, Assistant to the Governor, Preparedness, State of Virginia.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Subcommittee on Benefits approved for full Committee action the following bills: H.R. 1716, amended, Veterans Earn and Learn Act; H.R. 3936, To amend title 38, United States Code, to authorize the principal office of the United States Court of Ap-

peals for Veterans Claims to be at any location in the Washington, D.C., metropolitan area, rather than only in the District of Columbia, and expressing the sense of Congress that a dedicated Veterans Courthouse and Justice Center should be provided for that Court and those it serves and should be located, if feasible, at a site owned by the United States that is part of or proximate to the Pentagon Reservation; H.R. 4175, amended, Veterans' Compensation Cost-of-Living Adjustment Act of 2004; and H.R. 4345, To amend title 38, United States Code, to increase the maximum amount of home loan guaranty available under the home loan guaranty program of the Department of Veterans Affairs.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Subcommittee on Health approved for full Committee action, as amended, the following bills: H.R. 4231, Department of Veterans Affairs Nurse Recruitment and Retention Act of 2004; and H.R. 4248, Homeless Veterans Assistance Reauthorization Act of 2004.

FEDERAL CHILD WELFARE REVIEWS—STATE EFFORTS TO COMPLY

Committee on Ways and Means: Subcommittee on Human Resources held a hearing on State Efforts to Comply with Federal Child Welfare Reviews. Testimony was heard from Wade F. Horn, Assistant Secretary, Children and Families, Department of Health and Human Services; Cornelia M. Ashby, Director, Education, Workforce, and Income Security Issues, GAO; Edward Cotton, Director, Division of Youth and Family Services, Department of Human Services, State of New Jersey; and Christopher J. McCabe, Secretary, Department of Human Resources, State of Maryland.

HOMELAND SECURITY DEPARTMENT INTELLIGENCE BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Department of Homeland Security Intelligence Budget. Testimony was heard from departmental witnesses.

INTELLIGENCE COMMUNITY LANGUAGE CAPABILITIES

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy and National Security held a hearing on Intelligence Community Language Capabilities. Testimony was heard from COL Michael R. Simone, USA, Commandant, Defense Language Institute Foreign Language Center, Department of Defense; Richard Brecht, Executive Director, Center for Advanced Study of Language; and Ellen Laipson, President and CEO, Henry L. Stimson Center.

INFORMATION TECHNOLOGY POLICY SHARING

Permanent Select Committee on Intelligence: Subcommittee on Terrorism and Homeland Security met in executive session to hold a hearing on Information Technology Policy Sharing. Testimony was heard from departmental witnesses.

Joint Meetings

HEALTH SERVICES REGULATION

Joint Economic Committee: Committee concluded a hearing to examine the costs of health services regulations, focusing on quality and accessibility to health care insurance, the uninsured, and ways that health care coverage can be made more affordable, after receiving testimony from David A. Hyman, University of Maryland School of Law, Baltimore; Daniel Mulholland, Horty, Springer, and Mattern, Pittsburgh, Pennsylvania; Vicki Gottlich, Center for Medicare Advocacy, Inc., Washington, D.C.; and Christopher J. Conover, Durham, North Carolina.

COAST GUARD AND MARITIME TRANSPORTATION ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 2443, to authorize appropriations for the Coast Guard for fiscal year 2004, to amend various laws administered by the Coast Guard, but did not complete action thereon, and will meet again.

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Friday, May 14, 2004

Senate

Chamber Action

Routine Proceedings, pages 9571–84

Measures Introduced: Two bills and one resolution were introduced, as follows: S. 2424–2425, and S. Res. 363.
Page 9582

Measures Reported:

Special Report entitled "Developments in Aging: 2001 and 2002, Volume 1 and Volume 2". (S. Rept. No. 108–265)

S. 2424, to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to protect the retirement security of American workers by ensuring that pension assets are adequately diversified and by providing workers with adequate access to, and information about, their pension plans. (S. Rept. No. 108–266)
Page 9582

Measures Passed:

World Food Prize Day: Senate agreed to S. Res. 363, designating October 16, 2004, as "World Food Prize Day". **Page 9583**

Cooke Nomination—Cloture Motion Filed: Senate began consideration of the nomination of Marcia G. Cooke, to be United States District Judge for the Southern District of Florida.

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of May 14, 2004, a vote on cloture will occur at 2:15 p.m., on Tuesday, May 18, 2004. **Page 9583**

Additional Cosponsors: **Page 9583**

Statements on Introduced Bills/Resolutions: **Page 9583**

Additional Statements: **Page 9582**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 11:50 a.m., until 12 noon, on Monday, May 17, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 9584.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 12:30 p.m. on Monday, May 17, for Morning Hour debate and at 2 p.m. for legislative business.

Committee Meetings

No committee meetings were held.

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Monday, May 17, 2004

Senate

Chamber Action

Routine Proceedings, pages 9617–73

Measures Introduced: Four bills and three resolutions were introduced, as follows: S. 2426–2429, and S. Con. Res. 109–111. **Page 9650**

Measures Passed:

National Safety Month: Senate agreed to S. Res. 331, designating June 2004 as "National Safety Month". **Page 9669**

Honoring "Rosie the Riveter": Committee on Health, Education, Labor and Pensions was discharged from further consideration of S. Con. Res. 103, honoring the contributions of the women, symbolized by "Rosie the Riveter", who served on the homefront during World War II, and the resolution was then agreed to. **Page 9669**

Department of Defense Authorization Act: Senate began consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, taking action on the following amendments proposed thereto: **Page 9629**

Adopted:

By a unanimous vote of 82 yeas (Vote No. 95), Hutchison Amendment No. 3152, to authorize medical and dental care for cadets and midshipmen, and to authorize disability benefits for cadets and midshipmen of the service academies. **Pages 9639, 9644**

Pending:

Lautenberg Amendment No. 3151, to clarify the application of Presidential action under the International Emergency Economic Powers Act. **Page 9636**

Service Medals Act—Agreement: A unanimous-consent agreement was reached providing that at 10:45 a.m., on Tuesday, May 18, 2004, Senate begin consideration of H.R. 3104, to provide for the establishment of separate campaign medals to be awarded to members of the uniformed services who participate in Operation Enduring Freedom and to members of the uniformed services who participate in Operation Iraqi Freedom, and that there be 20 minutes for debate and Senate then vote on final passage of the bill. **Page 9670**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to Burma; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–77) **Page 9646**

Nominations Confirmed: Senate confirmed the following nominations:

1 Army nomination in the rank of general.

Pages 9668, 9673

Nominations Received: Senate received the following nominations:

Michael H. Schneider, Sr., of Texas, to be United States District Judge for the Eastern District of Texas.

Christopher William Dell, of New Jersey, to be Ambassador to the Republic of Zimbabwe.

Nadine Hogan, of Florida, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring June 26, 2008.

Jack Vaughn, of Tennessee, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2006.

2 Air Force nominations in the rank of general.

1 Army nomination in the rank of general.

2 Marine Corps nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Public Health Service. Page 9670

Messages From the House: Page 9646

Measures Referred: Page 9646

Measures Read First Time: Page 9646

Petitions and Memorials: Page 9647

Additional Cosponsors: Page 9650

Statements on Introduced Bills/Resolutions: Page 9651

Additional Statements: Page 9646

Amendments Submitted: Page 9663

Notices of Hearings/Meetings: Page 9668

Authority for Committees to Meet: Page 9668

Privilege of the Floor: Page 9668

Record Votes: One record vote was taken today. (Total—95) Page 9644

Adjournment: Senate convened at 12 noon, and adjourned at 6:13 p.m., until 9:45 a.m., on Tuesday, May 18, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 9670.)

Committee Meetings

RETIREE HEALTH BENEFITS

Special Committee on Aging: Committee concluded a hearing to examine how the Equal Employment Opportunity Commission's recent rule affects retiree health benefits, focusing on the Commission's decision to permit employers to remain in compliance with the Age Discrimination in Employment Act (ADEA) when coordinating retiree health benefits provided with Medicare eligibility, after receiving testimony from Leslie E. Silverman, Commissioner, U.S. Equal Employment Opportunity Commission; Patricia Neuman, Henry J. Kaiser Family Foundation, Erik D. Olsen, AARP, Andrew J. Imparato, American Association of People with Disabilities, and James A. Klein, American Benefits Council, all of Washington, D.C.; and Bruce Meredith, Wisconsin in Education Association Council, Madison.

House of Representatives

Chamber Action

Measures Introduced: 8 public bills, H.R. 4370–4377; and 5 resolutions, H. Con. Res. 427–428, and H. Res. 643–645 were introduced. Page 9750

Additional Cosponsors: Page 9751

Reports Filed: Reports were filed today as follows:

Filed on Friday, May 14: H.R. 2432, to amend the Paperwork Reduction Act and titles 5 and 31, United States Code, to reform Federal paperwork and regulatory processes, amended (H. Rept. 108–490, Pt. 1);

Filed on Friday, May 14: H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2005, amended (H. Rept. 108–491);

Supplemental report on H.R. 2432, to amend the Paperwork Reduction Act and titles 5 and 31, United States Code, to reform Federal paperwork and regulatory processes (H. Rept. 108–490, Pt. 2);

H.R. 2201, to authorize the establishment of a national database for purposes of identifying, locating, and cataloging the many memorials and permanent tributes to America's veterans (H. Rept. 108–492, Pt. 1);

H.R. 3768, to expand the Timucuan Ecological and Historic Preserve, Florida, amended (H. Rept. 108–493);

H.R. 3505, to amend the Bend Pine Nursery Land Conveyance Act to specify the recipients and consideration for conveyance of the Bend Pine Nursery, amended (H. Rept. 108–494);

H.R. 265, to provide for an adjustment of the boundaries of Mount Rainier National Park, amended (H. Rept. 108–495);

H. Res. 644, providing for consideration of H.R. 4359, to amend the Internal Revenue Code of 1986 to increase the child tax credit (H. Rept. 108–496); and

H. Res. 645, providing for consideration of H.R. 2728, to amend the Occupational Safety and Health Act of 1970 to provide for the adjudicative flexibility with regard to an employer filing of a notice of contest following the issuance of a citation by the Occupational Safety and Health Administration; for consideration of H.R. 2729, to amend the Occupational Safety and Health Act of 1970 to provide for greater efficiency at the Occupational Safety and Health Review Commission; for consideration of H.R. 2730, to amend the Occupational Safety and Health Act of 1970 to provide for an independent review of citations issued by the Occupational Safety and Health Administration; for consideration of H.R. 2731, to amend the Occupational Safety and Health Act of 1970 to provide for the award of attorney's fees and costs to very small employers when they prevail in litigation prompted by the issuance of citations by the Occupational Safety

and Health Administration; and for consideration of H.R. 2432, to amend the Paperwork Reduction Act and titles 5 and 31, United States Code, to reform Federal paperwork and regulatory processes (H. Rept. 108–497). **Page 9750**

Speaker: Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker Pro Tempore for today. **Page 9674**

Recess: The House recessed at 1:03 p.m. and reconvened at 2 p.m. **Page 9678**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Amending the Bend Pine Nursery Land Conveyance Act: H.R. 3505, amended, to amend the Bend Pine Nursery Land Conveyance Act to specify the recipients and consideration for conveyance of the Bend Pine Nursery; **Page 9678**

Timucuan Ecological and Historic Preserve Boundary Revision Act of 2004: H.R. 3768, amended, to expand the Timucuan Ecological and Historic Preserve, Florida; **Page 9679**

National War Permanent Tribute Historical Database Act: H.R. 2201, to authorize the establishment of a national database for purposes of identifying, locating, and cataloging the many memorials and permanent tributes to America's veterans; **Page 9680**

Recognizing National Transportation Week: H. Con. Res. 420, applauding the men and women who keep America moving and recognizing National Transportation Week, by a ⅔ yea-and-nay vote of 360 yeas with none voting "nay", Roll No.177; **Pages 9681, 9708**

Authorizing the use of the Capitol Grounds for activities associated with the dedication of the National World War II Memorial: H. Con. Res. 423, authorizing the use of the Capitol Grounds for activities associated with the dedication of the National World War II Memorial, by a ⅔ yea-and-nay vote of 364 yeas with none voting "nay", Roll No. 178; **Pages 9683, 9709**

Amending the Internal Revenue Code of 1986 to allow for the expansion of renewal community areas: H.R. 4193, to amend the Internal Revenue Code of 1986 to allow for the expansion of areas designated as renewal communities based on 2000 census data and to treat certain census tracts with low populations as low-income communities for purposes of the new markets tax credit; **Page 9685**

Condemning the Government of the Republic of Sudan for its attacks against innocent civilians: H. Con. Res. 403, amended, condemning the Government of the Republic of the Sudan for its attacks against innocent civilians in the impoverished Darfur region of western Sudan, by a ⅔ yea-and-nay vote of 360 yeas to 1 nay, Roll No. 179. **Pages 9699, 9710**

Suspensions: Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further proceedings were postponed until Tuesday, May 18.

Undocumented Alien Emergency Medical Assistance Amendments of 2004: H.R. 3722, to amend section 1011 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to impose conditions on Federal reimbursement of emergency health services furnished to undocumented aliens; **Page 9688**

Oscar Scott Woody Post Office Building Designation Act: H.R. 3740, to designate the facility of the United States Postal Service located at 223 South Main Street in Roxboro, North Carolina, as the "Oscar Scott Woody Post Office Building"; and **Page 9705**

Bobby Marshall Gentry Post Office Building Designation Act: H.R. 4176, to designate the facility of the United States Postal Service located at 122 West Elwood Avenue in Raeford, North Carolina, as the "Bobby Marshall Gentry Post Office Building". **Page 9707**

Supplemental Report: Agreed that the Committee on Government Reform be permitted to file a supplemental report on H.R. 2432, to amend the Paperwork Reduction Act and titles 5 and 31, United States Code, to reform Federal paperwork and regulatory processes. **Page 9705**

Recess: The House recessed at 4:29 p.m. and reconvened at 6:30 p.m. **Page 9708**

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004—Motion to Instruct Conferees: Representative George Miller (CA) announced his intention to offer a motion to instruct conferees on H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004. **Page 9711**

Budget Resolution for FY 2005—Motion to Instruct Conferees: Representative Stenholm announced his intention to offer a motion to instruct conferees on S. Con. Res. 95, original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009. **Page 9711**

Presidential Message: Read a message from the President wherein he notified the Congress of the continuation of the national emergency with respect to Burma—referred to the Committee on International Relations and ordered printed (H. Doc. 108–186). **Page 9708**

Senate Message: Message received from the Senate today appears on page 9678.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages 9708–10. There were no quorum calls.

Adjournment: The House met at 12:30 p.m and adjourned at 10:58 p.m.

Committee Meetings

CHILD CREDIT PRESERVATION AND EXPANSION ACT OF 2004

Committee on Rules: Granted, by voice vote, a modified closed rule providing one hour of debate in the House on H.R. 4359, Child Credit Preservation and Expansion Act of 2004, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides for consideration of the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution, if offered by Representative Rangel of New York or his designee, which shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all point of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Camp and Levin.

OSHA AMENDMENTS AND PAPERWORK AND REGULATORY IMPROVEMENTS ACT OF 2003

Committee on Rules: Granted, by voice vote, a closed rule providing for consideration of H.R. 2728, Occupational Safety and Health Small Business Day in Court Act of 2004, with one hour of debate in the House on H.R. 2728 equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule provides that the amendment recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The rule provides one motion to recommit H.R. 2728 with or without instructions.

Section 2 of the resolution provides for considerations of H.R. 2729, Occupational Safety and Health Review Commission Efficiency Act of 2004, under a closed rule. The rule provides one hour of debate in the House on H.R. 2729 equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill, modified by the amendment printed in part A of the Rules Committee report accompanying the resolution, shall be considered as adopted. The rule provides one motion to recommit H.R. 2729 with or without instructions.

Section 3 of the resolution provides for consideration of H.R. 2730, Occupational Safety and Health Independent Review of OSHA Citations Act of 2004, under a closed rule. The rule provides one hour of debate in the House on H.R. 2730 equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule provides that the amendment recommended by the Committee on Education and the Workforce, now printed in the bill, modified by the amendment printed in part B of the Rules Committee report accompanying the resolution, shall be considered as adopted. The rule provides one motion to recommit H.R. 2730 with or without instructions.

Section 4 of the resolution provides for consideration of H.R. 2731, Occupational Safety and Health Small Employer Access to Justice Act of 2004, under a closed rule. The rule provides one hour of debate in the House on H.R. 2731 equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill, modified by the amendment printed in part C of the Rules Committee report accompanying the resolution, shall be considered as adopted. The rule provides one motion to recommit H.R. 2731 with or without instructions.

Section 5 of the resolution provides for consideration of H.R. 2432, Paperwork and Regulatory Improvements Act of 2003, under a structured rule providing one hour of general debate in the Committee of the Whole equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform. The rule waives points of order against consideration of the bill for failure to comply with clause 4(a) of Rule XIII (regarding the three-day availability of committee reports). The rule provides that the amendment in the nature of a substitute recommended by the Committee on Government Reform now printed in the bill shall be considered as an original bill for the purpose of amendment, and shall be considered as read.

The rule makes in order only those amendments to the Committee amendment in the nature of a substitute which are printed in part D of the Rules Committee report accompanying the resolution. The rule provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee on the Whole. The rule waives all points of order against the amendments printed in the report. The rule provides one motion to recommit H.R. 2432 with or without instructions.

Section 6 of the resolution provides that in the engrossment of H.R. 2728 the Clerk shall add the texts of H.R. 2729, H.R. 2730, H.R. 2731, and H.R. 2432, as passed by the House, as new matter at the end of H.R.

2728, and then lay on the table H.R. 2729, H.R. 2730, H.R. 2731, and H.R. 2432.

Finally, the rule provides that if H.R. 2728 is disposed of without reaching the stage of engrossment, then whichever of H.R. 2729, H.R. 2730, H.R. 2731, or H.R. 2432 that first passes the House shall be treated in the manner specified for H.R. 2728 and all other bills that have passed the House shall be laid on the table. Testimony was heard from Chairman Boehner and Representatives Ose, Kildee, and Tierney.

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Tuesday, May 18, 2004

Senate

Chamber Action

Routine Proceedings, pages 9767–9943

Measures Introduced: Eight bills and one resolution were introduced, as follows: S. 2430–2437, and S. Res. 364. **Page 9817**

Measures Passed:

Afghanistan/Iraq Campaign Medals: By a unanimous vote of 98 yeas (Vote No. 96), Senate passed H.R. 3104, to provide for the establishment of separate campaign medals to be awarded to members of the uniformed services who participate in Operation Enduring Freedom and to members of the uniformed services who participate in Operation Iraqi Freedom, clearing the measure for the President. **Page 9774**

Premier Certified Lenders Program Improvement Act: Committee on Small Business and Entrepreneurship was discharged from further consideration of H.R. 923, to amend the Small Business Investment Act of 1958 to allow certain premier certified lenders to elect to maintain an alternative loss reserve, and the bill was then passed, clearing the measure for the President. **Page 9941**

Department of Defense Authorization Act: Senate continued consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, taking action on the following amendments proposed thereto: **Pages 9778, 9790**

Rejected:

By 47 yeas to 49 nays (Vote No. 98), Lott Amendment No. 3158, to provide that the 2005 base closure round shall apply solely to military installations located outside the United States and to provide for expedited consideration by Congress of a proposal for a base closure round in 2007 on military installations located inside the United States. **Pages 9778, 9790**

Withdrawn:

Domenici Amendment No. 3162, to accelerate the removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide. **Pages 9791, 9804**

Pending:

Lautenberg Amendment No. 3151, to clarify the application of Presidential action under the International Emergency Economic Powers Act. **Page 9778**

A unanimous-consent agreement was reached providing for the further consideration of the bill at approximately, 11 a.m., on Wednesday, May 19, 2004. **Page 9941**

Project Bioshield Act—Agreement: A unanimous-consent agreement was reached providing that on Wednesday, May 19, 2004, at a time to be determined by the Majority Leader in consultation with the Democratic Leader, Senate proceed to the consideration of S. 15, to amend the Public Health Service Act to provide for the payment of compensation for certain individuals with injuries resulting from the administration of smallpox countermeasures, to provide protections and countermeasures against chemical, radiological, or nuclear agents that may be used in a terrorist attack against the United States, and to improve immunization rates by increasing the distribution of vaccines and improving and clarifying the vaccine injury compensation program, that the only amendment in order be a Gregg/Kennedy amendment in the nature of a substitute; that there be two hours of debate equally divided; that upon the use or yielding back of time, the substitute amendment be agreed to, the committee amendment, as amended, be agreed to; and the Senate then proceed to a vote on final passage of the bill. **Page 9941**

Nominations Confirmed: Senate confirmed the following nomination:

By unanimous vote of 96 yeas (Vote No. Ex. 97), Marcia G. Cooke, of Florida, to be United States District Judge for the Southern District of Florida. **Pages 9782, 9943**

Prior to the vote on confirmation of the nomination (listed above), Senate vitiated the vote on the motion to invoke cloture thereon. **Page 9782**

Nominations Received: Senate received the following nominations:

Alan Greenspan, of New York, to be Chairman of the Board of Governors of the Federal Reserve System for a term of four years. (Reappointment)

Captain Samuel P. DeBow, Jr., NOAA for appointment to the grade of Rear Admiral (O–8), while serving in a position of importance and responsibility as Director, NOAA Corps and Director, Office of Marine and Aviation Operations, National Oceanic and Atmospheric Administration, under the provisions of Title 33, United States Code, Section 3028(d)(1).

Captain Richard R. Behn, NOAA for appointment to the grade of Rear Admiral (O–7), while serving in a position of importance and responsibility as Director, Marine and Aviation Operations Centers, National Oceanic and Atmospheric Administration, under the provisions of Title 33, United States Code, Section 3028(d)(1).

Routine lists in the Foreign Service, and National Oceanic and Atmospheric Administration. Page 9942

Messages From the House: Page 9814

Measures Referred: Page 9815

Measures Placed on Calendar: Page 9815

Petitions and Memorials: Page 9815

Additional Cosponsors: Page 9817

Statements on Introduced Bills/Resolutions: Page 9819

Additional Statements: Page 9813

Amendments Submitted: Page 9823

Notices of Hearings/Meetings: Page 9832

Authority for Committees to Meet: Page 9832

Privilege of the Floor: Page 9833

Text of S. 1637 as Previously Passed: Page 9833

Record Votes: Three record votes were taken today. (Total—98) Pages 9777, 9784, 9802

Adjournment: Senate convened at 9:45 a.m., and adjourned at 6:44 p.m., until 9:30 a.m., on Wednesday, May 19, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 9942.)

Committee Meetings

APPROPRIATIONS: HIV/AIDS FUNDING

Committee on Appropriations: Subcommittee on Foreign Operations concluded a hearing to examine proposed budget estimates for fiscal year 2005 for foreign assistance, focusing on HIV/AIDS, after receiving testimony from Randall L. Tobias, Global HIV/AIDS Coordinator, Department of State; and Bono, DATA, Washington, D.C.

TERRORISM RISK INSURANCE PROGRAM

Committee on Banking, Housing, and Urban Affairs: Committee concluded an oversight hearing to examine the Terrorism Risk Insurance Program, which established a temporary Federal program of shared public and private compensation for insured commercial property and casualty losses resulting from acts of terrorism covered by the Terrorism Risk Insurance Act, after receiving testimony from Brian C. Roseboro, Under Secretary of the Treasury for Domestic Finance; Richard J. Hillman, Director, Financial Markets and Community Investment, General Accounting Office; Donna Lee Williams, Delaware Department of Insurance, Dover, on behalf of the National Association of Insurance Commissioners; J. Robert Hunter, Consumer Federation of America, Washington, D.C.; John J. Degnan, Chubb Corporation, Warren, New Jersey, on behalf of sundry organizations; Christopher Nassetta, Host Marriott Corporation, Bethesda, Maryland, on behalf of the Coalition to Insure Against Terrorism; and Jacques E. Dubois, Swiss Re America Holding Corporation, Armonk, New York.

FAA OVERSIGHT

Committee on Commerce, Science, and Transportation: Committee concluded an oversight hearing to examine the Federal Aviation Administration, focusing on airline flight operations, congestion caused by regional jets, low-cost carrier expansion, and new airport security screening procedures, the aviation trust fund, and establishing a new air traffic organization, after receiving testimony from Kenneth M. Mead, Inspector General, and Marion Blakey, Administrator, Federal Aviation Administration, both of the Department of Transportation; and JayEtta Z. Hecker, Director, Physical Infrastructure Issues, General Accounting Office.

DOE CONTRACTING

Committee on Energy and Natural Resources: Committee concluded a hearing to examine implications of a 1999 change in reporting of small business contracts by the Department of Energy (DOE), focusing on the potential benefits and risks of the change, and the efforts of the Office of Small Disadvantaged Utilization to reach out to small businesses and encourage them to do business with DOE, after receiving testimony from Kyle E. McSlarrow, Deputy Secretary of Energy; Robin M. Nazzaro, Director, Natural Resources and Environment, General Accounting Office; Ann Sullivan, Women Impacting Public Policy, Oklahoma City, Oklahoma; Joan B. Woodard, Sandia National Laboratories, Albuquerque, New Mexico; Robert Thompson, Energy Communities Alliance, Richland, Washington.

IRAQ'S TRANSITION

Committee on Foreign Relations: Committee held a hearing to examine the way ahead in Iraq, focusing on the transition to sovereignty and democracy and securing a stable, peaceful, and economically vital region, receiving testimony from Paul Wolfowitz, Deputy Secretary of Defense, and Lieutenant General Walter L. Sharp, Director, Strategic Plans and Policy, Joint Chiefs of Staff, both of the Department of Defense; and Richard L. Armitage, Deputy Secretary of State.

Hearings continue tomorrow.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of William R. Brownfield, of Texas, to be Ambassador to Venezuela, and John D. Rood, of Florida, to be Ambassador to the

Bahamas, after each nominee testified and answered questions in their own behalf.

ANIMAL RIGHTS TERRORISM

Committee on the Judiciary: Committee concluded a hearing to examine the threat of animal rights extremism and eco-terrorism, focusing on law enforcement needs to pursue and prosecute those who commit violent acts against institutions that conduct animal research, after receiving testimony from McGregor W. Scott, U.S. Attorney, Eastern District of California; John E. Lewis, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Department of Justice; William Green, Chiron Corporation, Emeryville, California; Jonathan Blum, Yum! Brands Inc., Louisville, Kentucky and Stuart M. Zola, Emory University Yerkes National Primate Research Laboratory, Atlanta, Georgia, on behalf of the National Association for Biomedical Research.

SOCIAL SECURITY REFORM

Special Committee on Aging: Committee concluded a hearing to examine social security reform issues, and comparing the U.S. social security system with other nations', focusing on pension systems in Japan, Germany, the United Kingdom, and Chile, demographic factors, taxes, scheduled benefits, and investment returns, after receiving testimony from James B. Lockhart III, Deputy Commissioner, Social Security Administration; Yoshinori Ohno, Member, Japan's House of Representatives, Tokyo; Vincent J. Truglia, Moody's Investors Service, New York, New York; Axel Boersch-Supan, University of Mannheim Research Institute for the Economics of Aging, Mannheim, Germany; David O. Harris, Watson Wyatt Worldwide, London, England; and L. Jacobo Rodriguez, CATO Institute, Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 4378–4388; and 4 resolutions, H. Con. Res. 429–430, and H. Res. 646–647 were introduced. **Page 10081**

Additional Cosponsors: **Page 10081**

Reports Filed: Reports were filed today as follows:

Conference report on S. Con. Res. 95, setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009 (H. Rept. 108–498);

H. Res. 648, providing for consideration of H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2005 (H. Rept. 108-499); and

H. Res. 649, providing for consideration of the conference report to accompany S. Con. Res. 95, original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009 (H. Rept. 108-500).

Pages 10037, 10080

Speaker: Read a letter from the Speaker wherein he appointed Representative Bishop of Utah to act as Speaker pro tempore for today. **Page 9944**

Chaplain: The prayer was offered today by Rev. Maury Davis, Pastor, Cornerstone Church in Madison, Tennessee. **Page 9944**

Recess: The House recessed at 9:01 a.m. and reconvened at 10 a.m. **Page 9944**

Occupational Safety and Health Small Business Day in Court Act of 2004: The House passed H.R. 2728, amended, to amend the Occupational Safety and Health Act of 1970 to provide for adjudicative flexibility with regard to an employer filing of a notice of contest following the issuance of a citation by the Occupational Safety and Health Administration, by a yea-and-nay vote of 251 yeas to 177 nays, Roll No. 183. **Pages 9957, 9980**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce that is printed in the bill was considered as adopted. **Page 9957**

Pursuant to section 6 of H. Res. 645, the text of H.R. 2729, H.R. 2730, H.R. 2731, and H.R. 2432 will be appended to the engrossment of H.R. 2728; and H.R. 2729, H.R. 2730, H.R. 2731, and H.R. 2432 are laid on the table. **Page 10012**

Also pursuant to section 6 of H. Res. 645, the title of H.R. 2728 is conformed to reflect the additions of the text of all the bills. Conformed so as to read: to amend the Occupational Safety and Health Act of 1970 to provide for adjudicative flexibility with regard to an employer filing of a notice of contest following the issuance of a citation by the Occupational Safety and Health Administration; to provide for greater efficiency at the Occupational Safety and Health Review Commission; to provide for an independent review of citations issued by the Occupational Safety and Health Administration; to provide for the award of attorney's fees and costs to very small employers when they prevail in litigation prompted by the issuance of citations by the Occupational Safety and Health Administration; and to amend the Paperwork Reduction Act and titles 5 and 31, United States Code, to reform Federal paperwork and regulatory processes.

H. Res. 645, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 219 yeas to 195 nays, Roll No. 180. **Page 9948**

Occupational Safety and Health Review Commission Efficiency Act of 2004: The House passed H.R. 2729, amended, to amend the Occupational Safety and Health Act of 1970 to provide for greater efficiency at the Occupational Safety and Health Review Commission, by a yea-and-nay vote of 228 yeas to 199 nays, Roll No. 184.

Pages 9965, 9980

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce that is printed in the bill, modified by the amendment printed in part A of H. Rept. 108–497 was considered as adopted. **Page 9965**

H. Res. 645, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 219 yeas to 195 nays, Roll No. 180. **Page 9948**

Occupational Safety and Health Independent Review of OHSA Citiations Act of 2004: The House passed H.R. 2730, amended, to amend the Occupational Safety and Health Act of 1970 to provide for an independent review of citations issued by the Occupational Safety and Health Administration, by a yea-and-nay vote of 224 yeas to 204 nays, Roll No. 185. **Pages 9973, 9981**

Pursuant to the rule, the amendment recommended by the Committee on Education and the Workforce that is printed in the bill, as modified by the amendment printed in part B of H. Rept. 108–497 was considered as adopted. **Page 9973**

H. Res. 645, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 219 yeas to 195 nays, Roll No. 180. **Page 9948**

Occupational Safety and Health Small Employer Access to Justice Act of 2004: The House passed H.R. 2731, amended, to amend the Occupational Safety and Health Act of 1970 to provide for the award of attorney's fees and costs to very small employers when they prevail in litigation prompted by the issuance of citations by the Occupational Safety and Health Administration, by a yea-and-nay vote of 233 yeas to 194 nays, Roll No. 189.

Pages 9983, 10012

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce that is printed in the bill, as modified by the amendment printed in part C of H. Rept. 108–497 was considered as adopted. **Page 9983**

H. Res. 645, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 219 yeas to 195 nays, Roll No. 180. **Page 9948**

Paperwork and Regulatory Improvements Act of 2003: The House passed H.R. 2432, to amend the Paperwork Reduction Act and titles 5 and 31, United States Code, to reform Federal paperwork and regulatory processes, by a yea-and-nay vote of 373 yeas to 54 nays, Roll No. 188. **Page 9991**

The amendment in the nature of a substitute recommended by the Committee on Government Reform that is printed in the bill was considered as an original bill for the purpose of amendment. **Page 10003**

Agreed to the Ose amendment (No. 1 printed in part D of H. Rept. 108–497) that authorizes annual funding for the General Accounting Office's regulatory analysis function and removes the requirement for the Office of Management and Budget to integrate its annual regulatory accounting statement and associated report into the President's fiscal budget documents. **Page 10004**

Rejected the Waxman amendment (No. 2 printed in part D of H. Rept. 108–497) that sought to create an expert commission to study the politicization of science and make recommendations for how to protect science in the regulatory process from political and ideological manipulation and interference, by a recorded vote of 201 ayes to 226 noes, Roll No. 187. **Page 10006**

H. Res. 645, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 219 yeas to 195 nays, Roll No. 180. **Page 9948**

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004—Motion to Instruct Conferees: The House agreed to table the George Miller of California motion to instruct conferees on H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, by a recorded vote of 216 ayes to 199 noes, Roll No. 181. **Page 9955**

Suspension Failed—Undocumented Alien Emergency Medical Assistance Amendments of 2004: The House failed to suspend the rules and pass H.R. 3722, to amend section 1011 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to impose conditions on Federal reimbursement of emergency health services furnished to undocumented aliens, which was debated on Monday, May 17, by a ⅔ yea-and-nay vote of 88 yeas to 331 nays, Roll No. 182. **Page 9956**

Suspensions: The House agreed to suspend the rules and pass the following measures which were debated on Monday, May 17:

Oscar Scott Woody Post Office Building Designation Act: H.R. 3740, to designate the facility of the United States Postal Service located at 223 South Main Street in Roxboro, North Carolina, as the "Oscar Scott Woody Post Office Building", by a ⅔ yea-and-nay vote of 422 yeas with none voting "nay", Roll No. 186; and

Page 9982

Bobby Marshall Gentry Post Office Building Designation Act: H.R. 4176, to designate the facility of the United States Postal Service located at 122 West Elwood Avenue in Raeford, North Carolina, as the "Bobby Marshall Gentry Post Office Building", by a ⅔ yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 190.

Pages 10012

Budget Resolution for FY 2005—Motion to Instruct Conferees: The House debated the Stenholm motion to instruct conferees on S. Con. Res. 95, original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009. Further proceedings were postponed until Wednesday, May 19. **Pages 10013**

Representative Price of North Carolina announced his intention to offer a motion to instruct on the measure. **Page 10013**

Senate Message: Message received from the Senate today appears on page 9944.

Senate Referral: S. Con. Res. 103 was referred to the Committee on Education and the Workforce.

Amendments: Amendment ordered printed pursuant to the rule appears on page 10082.

Quorum Calls—Votes: Nine yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages 9954–56, 9980–82, and 10010–13. There were no quorum calls.

Recess: The House recessed at 11:36 p.m. and reconvened at 6:08 a.m. on Wednesday, May 19. **Page 10037**

Recess: The House recessed at 6:09 a.m. on Wednesday, May 19 and reconvened at 9:54 a.m. **Page 10079**

Adjournment: The House met at 9 a.m. and adjourned at 9:55 a.m. on Wednesday, May 19.

Committee Meetings

SUPPORTING OUR INTERCOLLEGIATE STUDENT-ATHLETES: PROPOSED NCAA REFORMS

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled "Supporting Our Intercollegiate Student-Athletes: Proposed NCAA Reforms." Testimony was heard from public witnesses.

NIH ETHICS CONCERNS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "NIH Ethics Concerns: Consulting Arrangements and Outside Awards." Testimony was heard from Marilyn L. Glynn, Acting Director, Office of Government Ethics; the following officials of the Department of Health and Human Services; Edgar M. Swindell, Associate General Counsel, Ethics Division; Raynard S. Kington, M.D., Deputy Director, NIH; Lance A. Liotta, M.D., Chief, Laboratory of Pathology, J. Carl Barrett, Director, Center for Cancer Research, and Anna D. Barker, Deputy Director, Advanced Technologies and Strategic Partnerships, all with the National Cancer Institute; and Emanuel Petricoin, Lead Microbiologist, Center for Biologics Evaluation and Research, FDA; Jack Maskell, American Law Division, Congressional Research Service, Library of Congress; and a public witness.

MARKET STRUCTURE—SEC PROPOSAL

Committee on Financial Services: Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises held a hearing entitled "SEC Proposal on Market Structure: How will Investors Fare?" Testimony was heard from public witnesses.

IMPROVING FINANCIAL OVERSIGHT

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled "Improving Financial Oversight: A Private Sector View of Anti-Money Laundering Efforts." Testimony was heard from public witnesses.

FEDERAL WORKFORCE FLEXIBILITY ACT; "FIRST YEAR ON THE JOB: CHIEF HUMAN CAPITAL OFFICERS"

Committee on Government Reform: Subcommittee on Civil Service and Agency Organization approved for full Committee action, as amended, S. 129, Federal Workforce Flexibility Act of 2003.

The Subcommittee also held a hearing entitled "First year on the job: Chief Human Capital Officers." Testimony was heard from Kay Coles Jones, Director, OPM; Chris Mihm, Managing Director, Strategic Issues, GAO; Reginald Wells, Chief Human Capital Officer, SSA; and a public witness.

ENSURING ACCURACY AND ACCOUNTABILITY IN LAB TESTING

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Ensuring Accuracy and Accountability in Lab Testing: Does the Experience of Maryland General Hospital Expose Cracks in the System?" Testimony was heard from the following officials of the Department of Health and Human Services: Steven I. Gutman, M.D., Director, Office of In Vitro Diagnostics Device Evaluation and Safety, FDA; and Sean Tunis, M.D., Chief Clinical Officer, Centers for Medicare and Medicaid Services and Deputy Director, Office of Clinical Standards and Quality, CMS; Nelson J. Sabatini, Secretary, Department of Health and Mental Hygiene, State of Maryland; and public witnesses.

"HOW CAN WE MAXIMIZE PRIVATE SECTOR PARTICIPATION IN TRANSPORTATION?"

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing entitled "How Can We Maximize Private Sector Participation in Transportation?" Testimony was heard from Emil Frankel, Assistant Secretary, Transportation Policy, Department of Transportation; and public witnesses.

SHOULD CHINA JOIN THE NUCLEAR SUPPLIERS GROUP?

Committee on International Relations: Held a hearing on Should China Join the Nuclear Suppliers Group? Testimony was heard from John Wolf, Assistant Secretary, Bureau of Nonproliferation, Department of State.

ANTI-TERRORISM INTELLIGENCE TOOLS IMPROVEMENT ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 3179, Anti-Terrorism Intelligence Tools Improvement Act of 2003. Testimony was heard from the following officials of the Department of Justice; Daniel J. Bryant, Assistant Attorney General; and Thomas J. Harrington, Deputy Assistant Director, FBI; and a public witness.

OVERSIGHT—ALIEN SMUGGLING

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled "Pushing the Border Out on Alien Smuggling: New Tools and Intelligence Initiatives," Testimony was heard from Joe D. Morton, Principal Deputy Assistant Secretary and Director, Diplomatic Security Service, Department of State; the following officials of the Department of Homeland Security: Robert Harris, Deputy Chief, Border Patrol, Bureau of Customs and Border Protection; and John P. Torres, Deputy Assistant Director, Smuggling and Public Safety, U.S. Immigration and Customs Enforcement; and a public witness.

OVERSIGHT—CHESAPEAKE BAY IN YOUR COMMUNITY: A RESTORATION PLAN

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held an oversight hearing on The Chesapeake Bay in Your Community: A Restoration Plan. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 4045, To authorize the Secretary of the Interior to prepare a feasibility study with respect to the Mokelumne River; H.R. 3597, To authorize the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study on the Alder Creek water storage and conservation project in El Dorado County, California; and H.R. 2257, Lower Yellowstone Reclamation Projects Conveyance Act. Testimony was heard from John Keys III, Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

CONFERENCE REPORT—CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2005

Committee on Rules: Committee granted, by a vote of 7 to 4, a rule waiving all points of order against the conference report to accompany S. Con.Res. 95, Setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal year 2006 through 2009, and against its consideration. The rule provides that the conference report shall be considered as read. The rule provides one hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. Section 2 provides that upon adoption in the House of the conference report, and until a concurrent resolution on the budget for fiscal year 2005 has been adopted by the Congress, the provisions of the conference report and its joint explanatory statement shall have force and effect in the House and that for the purposes of title III of the Congressional Budget Act of 1974 the conference report shall be considered for the purposes of the House to have been adopted by the Congress. The rule provides that nothing in section 2 may be construed to engage rule XXVII. Section 3 provides that the conferees of the House on H.R. 2660 shall be, and they are hereby discharged and that H.R. 2660 and its accompanying papers, be, and they are hereby, laid on the table.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

Committee on Rules: Committee granted, by voice vote, a structured rule providing 2 hours of general debate on H.R. 4200, National Defense Authorization Act of Fiscal Year 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute recommended by the Committee on Armed Services. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution, and amendments en bloc described in section 3 of the resolution.

The rule provides that amendments shall be considered only in the order specified in the report (except as specified in section 4 of the resolution), may be offered only by a Member designated in the report, shall be debatable for 10 minutes (unless otherwise specified in the report) equally divided and controlled by the proponent and an opponent, shall not be subject to amendment (except that the chairman and ranking minority member of the Committee on Armed Services each may offer one pro forma amendment for the purpose of further debate on any pending amendment), shall be considered as read, and shall be not be subject to a demand for division of the question in the House or in the Committee of the

Whole. The rule waives all points of order against the amendments printed in the Rules Committee report and those amendments en bloc as described in section 3 of the resolution. The rule authorizes the Chairman of the Committee on Armed Services, or his designee, to offer amendments en bloc consisting of amendments printed in the Rules Committee report not earlier disposed of, which shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services or their designees, and shall not be subject to amendment or demand for a division of the question in the House or in the Committee of the Whole.

The rule provides that the original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc. The rule allows the Chairman of the Committee of the Whole to recognize for consideration of any amendment printed in the Rules Committee report out of the order printed, but not sooner than one hour after the chairman of the Committee on Armed Services or a designee announces from the floor a request to that effect. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Hunter and Representatives Cunningham, Ehlers, Manzullo, English, Wamp, Whitfield, Goode, Shimkus, Flake, Capito, Johnson of Illinois, Kennedy of Minnesota, Beauprez, Skelton, Spratt, Meehan, Loretta Sanchez, Tauscher, Davis of California, Langevin, Cooper, Meek of Florida, Markey, Dicks, Lantos, Cardin, Slaughter, Price of North Carolina, Waters, Bishop of Georgia, Hastings of Florida, Maloney, Woolsey, Blumenauer, Harman, Strickland, Inslee, Lee, Tierney, Schakowsky, Udall of Colorado, Matheson and Schiff.

OVERSIGHT—VETERANS HOMELESS ASSISTANCE PROGRAMS

Committee on Veterans' Affairs: Held an oversight hearing on homeless assistance programs for veterans. Testimony was heard from the following officials of the Department of Veterans Affairs: Gordon H. Mansfield, Deputy Secretary; and John Kuhn, Homeless Program Coordinator, New Jersey Health Care System; Patricia Carlile, Deputy Assistant Secretary, Special Needs Programs, Department of Housing and Urban Development; Don Winstead, Deputy Assistant Secretary, Planning and Evaluation, Office of Human Services Policy, Department of Health and Human Services; and public witnesses.

REVIEW CIA'S COMPENSATION REFORM INITIATIVE

Permanent Select Committee on Intelligence: Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to hold a hearing to Review CIA's Compensation Reform Initiative. Testimony was heard from departmental witnesses.

Wednesday, May 19, 2004

Senate

Chamber Action

Routine Proceedings, pages 10267–10435

Measures Introduced: Thirteen bills and one resolution were introduced, as follows: S. 2438–2450, and S. Res. 365. **Page 10340**

Measures Passed:

Project Bioshield Act: By a unanimous vote of 99 yeas (Vote No. 99), S. 15, to amend the Public Health Service Act to provide protections and countermeasures against chemical, radiological, or nuclear agents that may be used in a terrorist attack against the United States by giving the National Institutes of Health contracting flexibility, infrastructure improvements, and expediting the scientific peer review process, and streamlining the Food and Drug Administration approval process of countermeasures, after agreeing to the committee amendment in the nature of a substitute, and the following amendments proposed thereto: **Page 10283**

Gregg/Kennedy Amendment No. 3178, in the nature of a substitute. **Page 10301**

Gregg/Kennedy Amendment No. 3180, to amend the title. **Page 10307**

Federal Highway Reauthorization: Senate passed H.R. 3550, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, after striking all after the enacting clause and inserting in lieu thereof the text of S. 1072, Senate companion measure, as passed the Senate on February 12, 2004, and after agreeing to the following amendment proposed thereto: **Page 10380**

Frist (for Inhofe) Amendment No. 3219, providing for the use of State funds for projects to protect existing roadways from anticipated flooding of a closed basin lake. **Page 10381**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair be authorized to appoint conferees on the part of the Senate. **Page 10380**

Albuquerque Biological Park Title Clarification Act: Senate passed S. 213, to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project, after agreeing to the committee amendment. **Page 10381**

Fort Donelson National Battlefield Expansion Act: Senate passed S. 524, to expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862,

after agreeing to the committee amendment in the nature of a substitute. Page 10381

Kendrick Project Wyoming Act: Senate passed S. 943, to authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming, after agreeing to the committee amendment in the nature of a substitute. Page 10383

Hawaii Water Resources Act: Senate passed S. 960, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in the State of Hawaii and to amend the Hawaii Water Resources Act of 2000 to modify the water resources study, after agreeing to the committee amendments. Page 10383

Recreational Fee Authority Act: Senate passed S. 1107, to enhance the Recreational Fee Demonstration Program for the National Park Service, after agreeing to the committee amendments. Page 10383

Barry and Stone Counties, Missouri Act: Senate passed S. 1167, to resolve the boundary conflicts in Barry and Stone Counties in the State of Missouri, after agreeing to the committee amendment in the nature of a substitute. Page 10384

Salt Cedar Control Demonstration Act: Senate passed S. 1516, to further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the Commissioner of Reclamation, to carry out an assessment and demonstration program to control salt cedar and Russian olive, after agreeing to the committee amendment in the nature of a substitute. Page 10386

Harpers Ferry National Historical Park Boundary Revision Act: Senate passed S. 1576, to revise the boundary of Harpers Ferry National Historical Park. Page 10388

Hydroelectric Project Deadline Extension: Senate passed S. 1577, to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming. Page 10388

Oregon Land Conveyance: Senate passed S. 1848, to amend the Bend Pine Nursery Land Conveyance Act to direct the Secretary of Agriculture to sell the Bend Pine Nursery Administration Site in the State of Oregon, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: Page 10388

Frist (for Domenici) Amendment No. 3216, to make a technical correction. Page 10389

National Park System Laws Technical Amendments Act: Senate passed S. 2178, to make technical corrections to laws relating to certain units of the National Park System and to National Park programs. Page 10389

Sleeping Bear Dunes National Lakeshore: Senate passed H.R. 408, to provide for expansion of Sleeping Bear Dunes National Lakeshore, clearing the measure for the President. Page 10390

Cibola National Wildlife Refuge: Senate passed H.R. 417, to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California, after agreeing to the following amendment proposed thereto: Page 10390

Frist (for Leahy) Amendment No. 3217, to adjust the boundaries of Green Mountain National Forest. Page 10390

California National Forest Land Conveyance: Senate passed H.R. 708, to require the conveyance of certain National Forest System lands in Mendocino National Forest, California, to provide for the use of the proceeds from such conveyance for National Forest purposes, clearing the measure for the President. Page 10390

Texas Water Control Project: Senate passed H.R. 856, to authorize the Secretary of the Interior to revise a repayment contract with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, Texas, clearing the measure for the President. Page 10390

Irvine Basin Surface and Groundwater Improvement Act: Senate passed H.R. 1598, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to reauthorize the Secretary of the Interior to participate in projects within the San Diego Creek Watershed, California, clearing the measure for the President. Page 10390

Brown v. Board of Education Anniversary: Committee on the Judiciary was discharged from further consideration of H. Con. Res. 414, expressing the sense of the Congress that, as Congress recognizes the 50th anniversary of the Brown v. Board of Education decision, all Americans are encouraged to observe this anniversary with a commitment to continuing and building on the legacy of Brown, and the resolution was then agreed to. Page 10390

Taxpayer Protection and I.R.S. Accountability Act: Committee on Finance was discharged from further consideration of H.R. 1528, to amend the Internal Revenue Code of 1986 to protect taxpayers and ensure accountability of the Internal Revenue Service, and the bill was then passed, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 882, Senate companion measure, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: Page 10391

Frist (for Grassley/Baucus) Amendment No. 3218, to provide for a manager's amendment. Page 10434

Subsequently, S. 882 was returned to the Senate calendar. Page 10434

Department of Defense Authorization Act: Senate continued consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, taking action on the following amendments proposed thereto: **Page 10307**

Adopted:

Domenici Amendment No. 3192, to accelerate the removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide. **Page 10310**

Warner/Levin Amendment No. 3205, to correct the characterization of the funding authority for up-armored high mobility multi-purposed wheeled vehicles and wheeled vehicle ballistic add-on armor protection. **Page 10325**

Warner Amendment No. 3206, to correct a funding discrepancy. **Page 10326**

Warner Amendment No. 3207, to make a technical correction relating to military construction. **Page 10326**

Warner Amendment No. 3208, to make a technical correction to a cross reference in title 10, United States Code. **Page 10326**

Warner/Levin Amendment No. 3209, to provide for continuation of part-time or intermittent home health care benefits during transition to the sub-acute care program. **Page 10326**

Warner/Levin Amendment No. 3210, to provide temporary authority for waiver of collection of payments due for CHAMPUS benefits received by disabled persons unaware of loss of CHAMPUS eligibility and continuation of such benefits. **Page 10326**

Warner (for Allard) Amendment No. 3211, to improve section 3120, relating to local stakeholder organizations for Department of Energy Environmental Management 2006 closure sites. **Page 10327**

Levin (for Byrd) Amendment No. 3212, to require an increase in the size of the defense acquisition and support workforce during fiscal years 2005, 2006, and 2007. **Page 10327**

Warner (for Domenici/Bingaman) Amendment No. 3169, to provide a substitute for section 3144, relating to support for public education in the vicinity of Los Alamos National Laboratory, New Mexico. **Page 10329**

Levin (for Reed) Amendment No. 3213, to clarify the programs of the service academies that may be subject to uniform funding and management. **Page 10329**

Warner (for Sessions) Amendment No. 3214, to authorize the exchange of land at Maxwell Air Force Base, Alabama. **Page 10329**

Levin (for Sarbanes/Mikulski) Amendment No. 3215, to authorize a land conveyance, Naval Air Station, Patuxent River, Maryland. **Page 10330**

Warner (for Coleman) Amendment No. 3165, to require a study of establishment of mobilization station at Camp Ripley National Guard Training Center, Little Falls, Minnesota. **Page 10330**

Rejected:

By 37 yeas to 62 nays (Vote No. 100), Kyl/Cornyn Modified Amendment No. 3191, to express the sense of the Senate regarding legislation to impose an excise tax on tobacco lawyer's fees that exceed $20,000 per hour in order to increase funding for equipment for the United States Armed Forces. **Pages 10307, 10314**

By 49 yeas to 50 nays (Vote No. 101), Lautenberg Modified Amendment No. 3151, to clarify the application of Presidential action under the International Emergency Economic Powers Act. **Pages 10307, 10324**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 11 a.m., on Thursday, May 20, 2004. **Page 10435**

Messages From the House: **Page 10337**

Measures Referred: **Page 10338**

Measures Read First Time: **Page 10338**

Executive Communications: **Page 10338**

Additional Cosponsors: **Page 10340**

Statements on Introduced Bills/Resolutions: **Page 10341**

Additional Statements: **Page 10336**

Amendments Submitted: **Page 10350**

Authority for Committees to Meet: **Page 10379**

Privilege of the Floor: **Page 10380**

Record Votes: Three record votes were taken today. (Total—101) **Pages 10306, 10324–25**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:21 p.m., until 10 a.m., on Thursday, May 20, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 10435.)

Committee Meetings

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported an original bill to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to provide children with increased access to food and nutrition assistance, to simplify program operations and improve program management, and to reauthorize child nutrition programs.

APPROPRIATIONS—DISTRICT OF COLUMBIA

Committee on Appropriations: Subcommittee on the District of Columbia concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the government of the District of Columbia, after receiving testimony from Mayor Anthony A. Williams, Linda W. Cropp,

Chair, City Council, and Natwar M. Gandhi, Chief Financial Officer, all of Washington, D.C.

IRAQI PRISONER ABUSE

Committee on Armed Services: Committee resumed open and closed hearings to examine allegations of mistreatment of Iraqi prisoners, receiving testimony from General John P. Abizaid, USA, Commander, United States Central Command; and Lieutenant General Ricardo S. Sanchez, USA, Commander, and Major General Geoffrey D. Miller, USA, Deputy Commander for Detainee Operations, both of Multi-National Force-Iraq.

Hearings recessed subject to the Call.

IMF AND WORLD BANK

Committee on Banking, Housing, and Urban Affairs: Committee concluded an oversight hearing to examine proposals to reform the International Monetary Fund and World Bank, including the costs and budgetary treatment of multilateral financial institutions' activities, after receiving testimony from John B. Taylor, Under Secretary of the Treasury for International Affairs; Douglas Holtz-Eakin, Director, Congressional Budget Office; Allan H. Meltzer, Carnegie Mellon University, Pittsburgh, Pennsylvania, on behalf of American Enterprise Institute; and C. Fred Bergsten, Institute for International Economics, Washington, D.C.

WATER AND POWER PROJECTS

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded a hearing to examine S. 900, to convey the Lower Yellowstone Irrigation Project, the Savage Unit of the Pick-Sloan Missouri Basin Program, and the Intake Irrigation Project to the pertinent irrigation districts; S. 1876, to authorize the Secretary of the Interior to convey certain lands and facilities of the Provo River Project; S. 1957, to authorize the Secretary of the Interior to cooperate with the States on the border with Mexico and other appropriate entities in conducting a hydrogeologic characterization, mapping, and modeling program for priority transboundary aquifers; S. 2304 and H.R. 3209, bills to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project; S. 2243, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska; H.R. 1648, to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District; and H.R. 1732, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project, after receiving testimony from John W. Keys III, Commissioner, Bureau of Reclamation, and Charles G. Groat, Director, U.S. Geological Survey, both of the Department of the Interior; Jerry Nypen, Lower Yellowstone Irrigation Project, Sidney, Montana; Andrew B. Core, New Mexico Office of the State Engineer, Santa Fe; John Robert Carman, Metropolitan Water District of Salt Lake and Sandy, Sandy, Utah; Thomas P. Graves, Mid-West Electric Consumers Association, Wheat Ridge, Colorado; and C. Allan Jones, Texas Water Resources Institute, College Station.

TERRORISM FINANCING

Committee on Finance: Committee held a hearing to examine terrorism financing, focusing on efforts to build domestic and international policies and systems to combat money-laundering and terrorist financing, charities as a means of raising and moving funds and logistical support for terrorists, compliance from Saudi Arabia, and the designation of major foreign financial institutions and businesses as terrorist financiers, receiving testimony from Joseph M. Myers, Katten Muchin Zavis Rosenman, former Acting Deputy Assistant Secretary of the Treasury for Enforcement, and Jonathan M. Winer, Alston and Bird, former Deputy Assistant Secretary of State for International Law Enforcement, both of Washington, D.C.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Juan Carlos Zarate, of California, to be Assistant Secretary for Terrorist Financing, and Stuart Levey, of Maryland, to be Under Secretary for Enforcement, both of the Department of the Treasury, and John O. Colvin, of Virginia, to be a Judge of the United States Tax Court, after each nominee testified and answered questions in their own behalf. Testimony was also received on the nominations of Mr. Zarate and Mr. Levey from Joseph M. Myers, Katten Muchin Zavis Rosenman, former Acting Deputy Assistant Secretary of the Treasury for Enforcement, and Jonathan M. Winer, Alston and Bird, former Deputy Assistant Secretary of State for International Law Enforcement, both of Washington, D.C.

IRAQ'S TRANSITION

Committee on Foreign Relations: Committee concluded hearings to examine the way ahead in Iraq, focusing on the Administration's plans for the transition to Iraqi sovereignty, after receiving testimony from Anthony H. Cordesman, Center for Strategic and International Studies, and Phebe Marr, National Defense University, both of Washington, D.C.; General Joseph P. Hoar, USMC (Ret.), former Commander in Chief, United States Central Command, Del Mar, California; and Larry Diamond, Stanford University Hoover Institution, Stanford, California.

TRIBAL SELF-GOVERNANCE AMENDMENTS

Committee on Indian Affairs: Committee concluded a hearing to examine S. 1696, to amend the Indian Self-Deter-

mination and Education Assistance Act to provide further self-governance by Indian tribes, after receiving testimony from Don Kashevaroff, Seldovia Village Tribe, Anchorage, Alaska, on behalf of the Alaska Native Tribal Health Consortium; Alvin Windy Boy, Sr., Chippewa Cree Tribe of Rocky Boy's Reservation, Box Elder, Montana, on behalf of the Indian Health Service's Tribal Self-Governance Advisory Committee; W. Ron Allen, Jamestown S'Klallam Tribe, Sequim, Washington, on behalf of the Title VI Study Team; and Mickey Peercy, Choctaw Nation of Oklahoma, Durant.

HEALTH SAVINGS ACCOUNT

Special Committee on Aging: Committee concluded a hearing to examine the benefits and risks of Health Savings Accounts as provided for in the Medicare Law, focusing on the future of health care, reducing insurance costs, and enabling more employers to begin or retain health insurance benefits for employees, after receiving testimony from John W. Snow, Secretary of the Treasury; John C. Goodman, National Center for Policy Analysis, Dallas, Texas; Ronald A. Williams, Aetna, Hartford, Connecticut; Kate Sullivan, U.S. Chamber of Commerce, and Robert Greenstein, Center on Budget and Policy Priorities, both of Washington, D.C.; and Edward L. Langston, Lafayette, Indiana, on behalf of the American Medical Association.

House of Representatives

Chamber Action

Measures Introduced: 19 public bills, H.R. 4389–4407; 1 private bill, H.R. 4408 and 2 resolutions, H. Con. Res. 431, and H. Res. 650 were introduced. **Page 10264**

Additional Cosponsors: **Page 10265**

Reports Filed: Reports were filed today as follows:

H.R. 4103, to extend and modify the trade benefits under the African Growth and Opportunity Act, amended (H. Rept. 108–501);

H.R. 2912, to reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government (H. Rept. 108–502); and

H.J. Res. 83, proposing an amendment to the Constitution of the United States regarding the appointment of individuals to fill vacancies in the House of Representatives, adversely (H. Rept. 108–503). **Page 10264**

Speaker: Read a letter from the Speaker wherein he appointed Representative Latham to act as Speaker Pro Tempore for today. **Page 10100**

Chaplain: The prayer was offered today by Rev. Pete Wall, Pastor, Jackson Baptist Church in Sylvania, Georgia. **Page 10100**

Suspensions: The House agreed to suspend the rules and pass the following measure:

Honoring past and current members of the U.S. Armed Forces: H. Con. Res. 424, honoring past and current members of the Armed Forces of the United States and encouraging Americans to wear red poppies on Memorial Day, by a ⅔ yea-and-nay vote of 419 yeas with none voting "nay", Roll No. 195. **Pages 10120, 10128**

National Defense Authorization Act for Fiscal Year 2005: The House began consideration of H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2005. Further consideration will continue on Thursday, May 20.

Pages 10129, 10243

The amendment in the nature of a substitute recommended by the Committee on Armed Services printed in the bill was considered as an original bill for the purpose of amendment. **Page 10151**

Pursuant to section 4 of H. Res. 648, it was agreed that the Slaughter amendment (no. 14 printed in H. Rept. 108–499) be considered out of the order printed in H. Rept. 108–499. **Page 10248**

Pursuant to H. Res. 648, it was agreed that certain amendments be placed in order as though printed in H. Rept. 108–499 and numbered 29, 30, 31, and 32; that amendment numbered 13 in H. Rept 108–499 be modified in the form that was placed at the desk; and that the amendments and the modification placed at the desk be considered as read. **Page 10250**

Agreed to:

Goode amendment (no. 1 printed in H. Rept. 108–499) that authorizes the Secretary of Defense to assign members of the Armed Forces, under certain circumstances and subject to certain conditions, to assist the Department of Homeland Security in the performance of border protection functions (by a recorded vote of 231 ayes to 191 noes, Roll No. 196); **Pages 10219, 10230**

Hunter amendment (no. 3 printed in H. Rept. 108–499) that expresses the sense of Congress concerning the abuse of persons in custody in Iraq (by a recorded vote of 416 ayes to 4 noes, Roll No. 199); **Pages 10227, 10243**

Meek amendment (no. 5 printed in H. Rept. 108–499) that moves mission-critical information from the commissioning authority up to the highest levels in short order when that information portends events or situations detrimental to our strategic plan; and **Page 10246**

Hastings of Florida amendment (no. 6 printed in H. Rept. 108–499) that expresses the sense of Congress that no funds available to any department or agency of the United States Government may be used to provide assistance for the reconstruction of Iraq unless the President certifies to Congress that the United States has entered into an agreement with the Iraqi Governing Council or a transitional government in Iraq under which Iraq agrees

that it will expend a significant portion of its revenues generated from oil production for reconstruction activities in Iraq. **Page 10247**

Rejected:

Davis of California amendment (no. 2 printed in H. Rept. 108–499) that sought to repeal the prohibition on servicewomen and female military dependents from using their own funds for abortions at overseas military hospitals (by a recorded vote of 202 ayes to 221 noes, Roll No. 197). **Pages 10223, 10231**

Proceedings Postponed:

Weldon of Pennsylvania (no. 4 printed in H. Rept. 108–499) amendment that seeks to express the sense of Congress that the Secretary of Defense should assist the Iraqi Government in destroying the Abu Gharib prison and replacing it with a modern detention facility; and **Page 10244**

Skelton amendment (no. 14 printed in H. Rept. 108–499) that seeks to require the Secretary of Defense to develop a comprehensive policy for the Department of Defense on the prevention of and response to sexual assaults involving members of the Armed Forces and requires the DoD to take related measures to address sexual assaults involving members of the Armed Forces. **Page 10248**

H. Res. 648, the rule providing for consideration of the bill was agreed to by a recorded vote of 220 ayes to 205 noes, Roll No. 194, after agreeing to order the previous question by a yea-and-nay vote of 220 yeas to 204 nays, Roll No. 193. **Page 10110**

Concurrent Resolution on the Budget for FY 2005—Conference Report: The House agreed to the conference report on S. Con. Res. 95, original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009, by a yea-and-nay vote of 216 yeas to 213 nays, Roll No. 198. **Page 10232**

H. Res. 649, the rule providing for consideration of the conference report was agreed to by a recorded vote of 220 ayes to 204 noes, Roll No. 192, after agreeing to order the previous question by a yea-and-nay vote of 220 yeas to 204 nays, Roll No. 191. **Page 10105**

Budget Resolution for FY 2005—Motion to Instruct Conferees: Subsequent to the filing of the conference report on S. Con. Res. 95, the chair announced the motion to instruct conferees offered by Representative Stenholm, which was debated on Tuesday, May 18 and the notice of intent to offer a motion to instruct conferees by Representative Price of North Carolina had been vitiated. **Page 10129**

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004—Order of Business: Pursuant to section 3 of H. Res. 649, H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, was laid on the table. **Pages 10105, 10251**

Policy Committee of the White House Conference on Aging—Appointment: Read a letter from the Minority Leader wherein she appointed Barbara Kennelly of Connecticut and Robert B. Blancato of Virginia to the Policy Committee of the White House Conference on Aging. **Page 10129**

Senate Message: Message received from the Senate today appears on page 10100.

Quorum Calls—Votes: Four yea-and-nay votes and five recorded votes developed during the proceedings of today and appear on pages 10126–29, 10230–31, and 10242–44. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:20 p.m.

Committee Meetings

AGRICULTURAL TRADE NEGOTIATIONS

Committee on Agriculture: Held a hearing to review Agricultural Trade Negotiations. Testimony was heard from public witnesses.

IMPROVING ACCESS TO ASSISTIVE FOR INDIVIDUALS WITH DISABILITIES ACT

Committee on Education and the Workforce: Ordered reported, as amended, H.R. 4278, Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004.

REGIONAL ENERGY RELIABILITY AND SECURITY

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "Regional Energy Reliability and Security: DOE Authority to Energize the Cross Sound Cable." Testimony was heard from Senator Schumer; Representatives DeLauro, King of New York and Shays; the following officials of the Department of Energy: Patrick Wood, III, Chairman, Federal Energy Regulatory Commission; and Lee Otis, General Counsel; Richard Blumenthal, Attorney General, State of Connecticut; and public witnesses.

COMMUNICATIONS MARKETPLACE COMPETITION

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "Competition in the Communications Marketplace: How Convergence Is Blurring the Lines Between Voice, Video, and Data Services." Testimony was heard from public witnesses.

PROGRAM ASSESSMENT AND RESULTS ACT; OVERSIGHT—NASA'S FINANCIAL MANAGEMENT

Committee on Government Reform: Subcommittee on Government Efficiency and Financial Management approved for full Committee action, as amended, H.R. 3826, Program Assessment and Results Act.

The Subcommittee also held an oversight hearing entitled "Mission Impossible? Fixing NASA's Financial Management." Testimony was heard from the following officials of NASA: Gwendolyn Brown, Chief Financial Officer; Robert Cobb, Inspector General; and Greg Kutz, Director, Financial Management and Assurance, GAO.

FEDERAL ENTERPRISE ARCHITECTURE

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held an oversight hearing entitled "Federal Enterprise Architecture: A Blueprint for Improved Federal IT Investment and Cross-Agency Collaboration and Information Sharing." Testimony was heard from Karen S. Evans, Administrator of E-Government and Information Technology, OMB; Randolph C. Hite, Director, Information Technology Architecture and Systems, GAO; Daniel Matthews, Chief Information Office, Department of Transportation; Kim Nelson, Chief Information Officer, EPA, and public witnesses.

MILLENNIUM CHALLENGE ACT

Committee on International Relations: Held a hearing on Implementation of the Millennium Challenge Act. Testimony was heard from Paul Applegarth, Chief Executive Officer, Millennium Challenge Corporation.

ESTABLISH A COMMISSION IN THE HOUSE OF REPRESENTATIVES TO ASSIST PARLIAMENTS IN EMERGING DEMOCRACIES

Committee on International Relations: Subcommittee on Europe approved for full Committee action H. Res. 642, Providing for the establishment of a commission in the House of Representatives to assist parliaments in emerging democracies.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following bills: H.R. 646, amended, To Expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862; H.R. 1156, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to increase the ceiling on the Federal share of the costs of phase I of the Orange County, California, Regional Water Reclamation Project; H.R. 2619, amended, Kilauea Point National Wildlife Point National Wildlife Refuge Expansion Act of 2003; H.R. 2831, amended, Newlands Project Headquarters and Maintenance Yard Facility Transfer Act; H.R. 2909, amended, Utah Test and Training Range Protection Act; H.R. 3785, amended, To authorize the exchange of certain land in Everglades Park; H.R. 4115, To amend the Act of November 2, 1966 (80 Stat. 1112), to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation; H.R. 4158, To provide for the conveyance to the Government of Mexico of a decommissioned National Oceanic and Atmosphere Administration ship; H.R. 4362, To authorize the Secretary of the Interior to accept a parcel of Federal land in the State of Washington in trust for the Nisqually Tribe, to ensure that the acceptance of such land does not adversely affect the Bonneville Power Administration; S. 144, amended, Noxious Weed Control Act of 2003; and S. 1146, Three Affiliated Tribes Health Facility Compensation Act.

FEDERAL ENERGY EFFICIENCY AND RENEWABLE ENERGY R&D PROGRAMS IMPACT

Committee on Science: Subcommittee on Energy held a hearing entitled "The Impact of Federal Energy Efficiency and Renewable Energy R&D Programs." Testimony was heard from Peter Smith, Energy Research and Development Authority, State of New York; and public witnesses.

EPA—HOMELAND SECURITY RESEARCH AND DEVELOPMENT

Committee on Science: Subcommittee on Environment, Technology, and Standards held a hearing entitled "Homeland Security Research and Development at the EPA: Taking Stock and Looking Ahead." Testimony was heard from Paul Gilman, Assistant Administrator, Office of Research and Development, EPA; Penrose C. Albright, Assistant Secretary, Science and Technology Directorate, Department of Homeland Security; and public witnesses.

RED TAPE REDUCTION

Committee on Small Business: Held a hearing entitled "Red Tape Reduction: Improving the Competitiveness of America's Small Manufacturers," Testimony was heard from John Graham, Administrator, Office of Information and Regulatory Affairs, OMB; and public witnesses.

OVERSIGHT—BIOMETRICS USE TO IMPROVE AVIATION SECURITY

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on The Use of Biometrics to Improve Aviation Security. Testimony was heard from Stewart Verdery, Assistant Secretary for Policy, Border and Transportation Security, Department of Homeland Security; Keith A. Rhodes, Chief Technologist, Applied Research and Methods, GAO; and public witnesses.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Ordered reported the following bills: H.R. 4231, amended, Department of Vet-

erans Affairs Nurse Recruitment and Retention Act of 2004; H.R. 4248, amended, Homeless Veterans Assistance Reauthorization Act of 2004; H.R. 3936, To amend title 38, United States Code, to authorize the principal office of the United States Court of Appeals for Veterans Claims to be at any location in the Washington, D.C., metropolitan area, rather than only in the District of Columbia, and expressing the sense of Congress that a dedicated Veterans Courthouse and Justice Center should be provided for that Court and those it serves and should be located, if feasible, at a site owned by the United States that is part of or proximate to the Pentagon Reservation; H.R. 4345, To amend title 38, United States Code, to increase the maximum amount of home loan guaranty available under the home loan guaranty program of the Department of Veterans Affairs; H.R. 1716, amended, Veterans Earn and Learn Act of 2004; and H.R. 4175, amended, Veterans' Compensation Cost-of-Living Adjustment Act of 2004, 2 p.m., 334 Cannon.

VA'S ROLE—IN ELECTRONIC-MEDICAL RECORDS SYSTEMS

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing on the Department of Veterans Affairs' role in the development of interoperable Electronic-medical records systems in the Federal Government. Testimony was heard from Linda Koontz, Director, Information Management Issues, GAO; Jonathan B. Perlin, M.D., Acting Under Secretary, Health, Veterans Health Administration, Department of Veterans Affairs; James C. Reardon, Chief Information Officer, Military Health System, Department of Defense; and public witnesses.

COMMITTEE BUSINESS—BRIEFING—DOD'S INTELLIGENCE REFORM INITIATIVE

Permanent Select Committee on Intelligence: Met in executive session to consider pending business.

The Committee also met in executive session to receive a briefing on Department of Defense Intelligence Reform Initiative (DoD HUMINT Reform). The Committee was briefed by departmental witnesses.

Joint Meetings

2005 BUDGET

Conferees: On Tuesday, May 18, 2004, agreed to file a conference report on S. Con. Res. 95, setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009.

Thursday, May 20, 2004

Senate

Chamber Action

Routine Proceedings, pages 10455–10617

Measures Introduced: Twenty-two bills and two resolutions were introduced as follows: S. 2451–2472, and S. Res. 366–367. **Page 10513**

Measures Reported:

S. 1687, to direct the Secretary of the Interior to conduct a study on the preservation and interpretation of the historic sites of the Manhattan Project for potential inclusion in the National Park System, with an amendment in the nature of a substitute. (S. Rept. No. 108–270)

S. 1778, to authorize a land conveyance between the United States and the City of Craig, Alaska, with an amendment in the nature of a substitute. (S. Rept. No. 108–271)

S. 1791, to amend the Lease Lot Conveyance Act of 2002 to provide that the amounts received by the United States under that Act shall be deposited in the reclamation fund. (S. Rept. No. 108–272)

H. Con. Res. 409, recognizing with humble gratitude the more than 16,000,000 veterans who served in the United States Armed Forces during World War II and the Americans who supported the war effort on the home front and celebrating the completion of the National World War II Memorial on the National Mall in the District of Columbia.

S. Res. 362, expressing the sense of the Senate on the dedication of the National World War II Memorial on May 29, 2004, in recognition of the duty, sacrifices, and valor of the members of the Armed Forces of the United States who served in World War II.

S. 1933, to promote effective enforcement of copyrights, with amendments.

S. 2453, to authorize the Secretary of Homeland Security to award grants to public transportation agencies to improve security. **Page 10512**

Measures Passed:

Adjournment Resolution: Senate agreed to H. Con. Res. 432, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page 10611**

National Transportation Week: Committee on Commerce, Science, and Transportation was discharged from further consideration of H. Con. Res. 420, applauding the men and women who keep America moving and recognizing National Transportation Week, and the resolution was then agreed to. **Page 10611**

National Better Hearing and Speech Month: Senate agreed to S. Res. 366, supporting May 2004 as National

Better Hearing and Speech Month and commending those States that have implemented routine hearing screenings for every newborn before the newborn leaves the hospital. **Page 10612**

Older Americans Month: Committee on the Judiciary was discharged from further consideration of S. Res. 353, designating May 2004, as "Older Americans Month", and the resolution was then agreed to. **Page 10612**

Honoring Mildred McWilliams Jeffrey: Senate agreed to S. Res. 367, honoring the life of Mildred McWilliams "Millie" Jeffrey (1910–2004) and her contributions to her community and to the United States. **Page 10613**

Honoring Members of the Armed Forces: Senate agreed to H. Con. Res. 424, honoring past and current members of the Armed Forces of the United States and encouraging Americans to wear red poppies on Memorial Day. **Page 10614**

Department of Defense Authorization Act: Senate continued consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, taking action on the following amendments proposed thereto: **Pages 10465, 10492**

Pending:

Graham (SC) Amendment No. 3170, to provide for the treatment by the Department of Energy of waste material. **Pages 10465, 10471**

Crapo Amendment No. 3226 (to Amendment No. 3170), of a perfecting nature. **Page 10470**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Friday, May 21, 2004. **Page 10615**

Federal Highway Reauthorization—Conferees: Pursuant to the order of May 19, 2004, regarding H.R. 3550, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, the Chair appointed the following conferees on the part of the Senate: Inhofe, Warner, Bond, Voinovich, Grassley, Hatch, Nickles, Lott, Shelby, McCain, McConnell, Jeffords, Reid (NV), Graham (FL), Lieberman, Boxer, Daschle, Hollings, Sarbanes, Baucus, and Conrad. **Page 10615**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report of the continuation of the national emergency protecting the Development Fund for Iraq and certain other property in which Iraq has an interest; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–78) **Page 10510**

Transmitting, pursuant to law, the United States Arctic Research Plan; which was referred to the Committee on Governmental Affairs. (PM–79) **Page 10510**

Transmitting, pursuant to law, the 2004 Comprehensive Report on U.S. Trade and Investment Policy for Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act; which was referred to the Committee on Finance. (PM–80) **Page 10510**

Nominations Confirmed: Senate confirmed the following nominations:

By 97 yeas 1 nay (Vote No. Ex. 102), Raymond W. Gruender, of Missouri, to be United States Circuit Judge for the Eighth Circuit. **Pages 10489, 10617**

By unanimous vote of 96 yeas (Vote No. Ex. 103), Franklin S. Van Antwerpen, of Pennsylvania, to be United States Circuit Judge for the Third Circuit. **Pages 10491, 10617**

Nominations Received: Senate received the following nominations:

Edwin D. Williamson, of South Carolina, to be Director of the Office of Government Ethics for a term of five years.

Mark D. Gearan, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term of one year. (New Position)

Leona White Hat, of South Dakota, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2008.

Milton Aponte, of Florida, to be a Member of the National Council On Disability for a term expiring September 17, 2006. (Reappointment)

Robert Davila, of New York, to be a Member of the National Council On Disability for a term expiring September 17, 2006. (Reappointment)

Young Woo Kang, of Indiana, to be a Member of the National Council on Disability for a term expiring September 17, 2006. (Reappointment)

Kathleen Martinez, of California, to be a Member of the National Council on Disability for a term expiring September 17, 2006. (Reappointment)

Linda Wetters, of Ohio, to be a Member of the National Council on Disability for a term expiring September 17, 2006. (Reappointment)

Laura A. Cordero, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Juliet JoAnn McKenna, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Robert Clark Corrente, of Rhode Island, to be United States Attorney for the District of Rhode Island for the term of four years.

Routine lists in the Army, Marine Corps, Navy. **Page 10615**

Messages From the House: **Page 10510**

Measures Placed on Calendar: **Page 10511**

Measures Read First Time: Page 10511
Executive Communications: Page 10511
Executive Reports of Committees: Page 10513
Additional Cosponsors: Page 10514
Statements on Introduced Bills/Resolutions: Page 10515
Additional Statements: Page 10508
Amendments Submitted: Page 10577
Authority for Committees to Meet: Page 10582

Record Votes: Two record votes were taken today. (Total—103) Page, 10491, 10492

Adjournment: Senate convened at 10 a.m., and adjourned at 7:39 p.m., until 9:30 a.m., on Friday, May 21, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 10615.)

Committee Meetings

EXTENDED CUSTODIAL INVENTORY PROGRAM

Committee on Banking, Housing, and Urban Affairs: Committee concluded an oversight hearing to examine the Federal Reserve's Extended Custodial Inventory Program (ECI), focusing on recent events involving the Union Bank of Switzerland-Zurich which violated its ECI Agreement with the Federal Reserve Bank of New York by engaging in U.S. dollar banknote transactions with countries subject to sanctions by the U.S. Department of Treasury's Office of Foreign Assets Control, which administers and enforces economic sanctions against targeted foreign countries, after receiving testimony from R. Richard Newcomb, Director, Office of Foreign Assets Control, Department of the Treasury; and Thomas C. Baxter, Jr., Executive Vice President and General Counsel, Federal Reserve Bank of New York, New York City.

CAN–SPAM ACT REVIEW

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the implementation of the Controlling the Assault of Non-Solicited Pornography and Marketing Act (CAN–SPAM Act) (P.L. 108–187), focusing on new federal efforts to address unsolicited commercial email ("spam") to better protect consumers and businesses, after receiving testimony from Timothy Muris, Chairman, Federal Trade Commission; Jana D. Monroe, Assistant Director, Cyber Division, and Dan Larkin, Unit Chief, Internet Crime Complaint Center, both of Federal Bureau of Investigation, Department of Justice; Ted Leonsis, America Online, Inc., Dulles, Virginia; Shinya Akamine, Postini, Inc., Redwood City, California; Hans Peter Brondmo, Digital Impact, Inc., San Mateo, California; James Guest, Consumers Union, Yonkers, New York; and Ronald Scelson, MicroEvolutions.com, Montgomery, Texas.

NATIONAL HISTORIC SITES

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 1672, to expand the Timucuan Ecological and Historic Preserve, Florida, S. 1789 and H.R. 1616, bills to authorize the exchange of certain lands within the Martin Luther King, Junior, National Historic Site for lands owned by the City of Atlanta, Georgia, S. 2167, to establish the Lewis and Clark National Historical Park in the States of Washington and Oregon, and S. 2173, to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000, after receiving testimony from Paul Hoffman, Deputy Assistant Secretary of the Interior for Fish and Wildlife and Parks; Steve Brady, Sr., Northern Cheyenne Sand Creek Descendants, Lame Deer, Montana; Carol J. Alexander, Ritz Theatre & LaVilla Museum, Jacksonville, Florida; and Rex Ziak, Naselle, Washington.

NUCLEAR REGULATORY COMMISSION

Committee on Environment and Public Works: Subcommittee on Clean Air, Climate Change, and Nuclear Safety resumed oversight hearing to examine the Nuclear Regulatory Commission, focusing on how the NRC and the industry will move forward with credibility and safety to ensure that nuclear power continues to be an important part of meeting economic, energy, and environment needs in the United States, after receiving testimony from Nils J. Diaz, Chairman, Edward McGaffigan, Jr., Commissioner, and Jeffrey S. Merrifield, Commissioner, all of the U.S. Nuclear Regulatory Commission; Marvin S. Fertel, Nuclear Energy Institute, and David Lochbaum, Union of Concerned Scientists, both of Washington, D.C.; Marilyn C. Kray, Exelon Nuclear, Kimberton, Pennsylvania, on behalf of NuStart Energy Development LLC; and Barclay G. Jones, University of Illinois at Urbana-Champaign Department of Nuclear and Radiological Engineering, Urbana.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nominations of Juan Carlos Zarate, of California, to be Assistant Secretary for Terrorist Financing, and Stuart Levey, of Maryland, to be Under Secretary for Enforcement, both of the Department of the Treasury, and John O. Colvin, of Virginia, to be a Judge of the United States Tax Court.

PRESCRIPTION DRUG REIMPORTATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine prescription drug reimportation, focusing on efforts to reduce drug costs, patient safety concerns, recent state action, fraudulent and counterfeit drugs, an international comparison of rising prescription drug expenditures, and S. 2328, to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, after receiving

testimony from John M. Taylor, Associate Commissioner for Regulatory Affairs, and William Hubbard, Associate Commissioner for Policy and Planning, both of the Food and Drug Administration, Department of Health and Human Services; John A. Vernon, University of Connecticut Center for Healthcare and Insurance Studies, Storrs; Philip Lee, Stanford University, Stanford, California; and Tim Malone, Livermore, California.

NATIVE AMERICAN CONNECTIVITY ACT

Committee on Indian Affairs: Committee held a hearing to examine S. 2382, to establish grant programs for the development of telecommunications capacities in Indian country, receiving testimony from J.D. Williams, National Congress of American Indians, Washington, D.C.; and Kade L. Twist, Native Networking Policy Center, Reston, Virginia.

Hearing recessed subject to the call of the Chair.

FBI OVERSIGHT OF TERRORISM

Committee on the Judiciary: Committee concluded an oversight hearing to examine the FBI, counterterrorism, and intelligence arenas, focusing on steps the FBI has taken to put critical capabilities in place by reforming counterterrorism and intelligence programs, as well as overhauling information technology, after receiving testimony from Robert S. Mueller III, Director, Federal Bureau of Investigation, Department of Justice.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1933, to promote effective enforcement of copyrights, with amendments;

S. Res. 362, expressing the sense of the Senate on the dedication of the National World War II Memorial on May 29, 2004, in recognition of the duty, sacrifices, and valor of the members of the Armed Forces of the United States who served in World War II;

H. Con. Res. 409, recognizing with humble gratitude the more than 16,000,000 veterans who served in the United States Armed Forces during World War II and the Americans who supported the war effort on the home front and celebrating the completion of the National World War II Memorial on the National Mall in the District of Columbia; and

"The nomination of Jonathan W. Dudas, of Virginia, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported Pamela M. Iovino, of the District of Columbia, to be an Assistant Secretary of Veterans Affairs for Congressional Affairs.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 10 public bills, H.R. 4409–4469; and 11 resolutions, H. Con. Res. 432–438, and H. Res. 651–654 were introduced. **Page 10757**

Additional Cosponsors: **Page 10760**

Reports Filed: Reports were filed today as follows:

Supplemental report on H.R. 4200 to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2005, (H. Rept. 108–491, Pt. 2);

S. 1301, to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, amended (H. Rept. 108–504);

H.R. 1678, to amend title 18, United States Code, with respect to false communications about certain criminal violations, amended (H. Rept. 108–505);

H.R. 2991, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Inland Empire regional recycling project and in the Cucamonga County Water District recycling project (H. Rept. 108–506);

H.R. 3378, to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries (H. Rept. 108–507);

H.R. 1014, to require Federal land managers to support, and to communicate, coordinate, and cooperate with, designated gateway communities, to improve the ability of gateway communities to participate in Federal land management planning conducted by the Forest Service and agencies of the Department of the Interior, and to respond to the impacts of the public use of the Federal lands administered by these agencies, amended (H. Rept. 108–508, Pt. 1);

H.R. 3846, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into an agreement or contract with Indian tribes meeting certain criteria to carry out projects to protect Indian forest land, amended (H. Rept. 108–509, Pt. 1);

H.R. 3504, to amend the Indian Self-Determination and Education Assistance Act to redesignate the American Indian Education Foundation as the National Fund for Excellence in American Indian Education (H. Rept. 108–510, Pt. 1);

H.R. 3247, to provide consistent enforcement authority to the Bureau of Land Management, the National Park Service, the United States Fish and Wildlife Service, and the Forest Service to respond to violations of regulations regarding the management, use, and protection of public lands under the jurisdiction of these agencies, to clarify the purposes for which collected fines may be used, amended; referred sequentially to the House Committee on the Judiciary for a period ending not later than June 30, 2004 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X. (Rept. 108–511, Pt. 1);

H.R. 3874, to convey for public purposes certain Federal lands in Riverside County, California, that have been identified for disposal, amended (H. Rept. 108–512); and

H.R. 2966, to preserve the use and access of pack and saddle stock animals on public lands, including wilderness areas, national monuments, and other specifically designated areas, administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service where there is a historical tradition of such use, amended (H. Rept. 108–513, Pt. 1). **Page 10756**

Chaplain: The prayer was offered today by Rev. Michael Bentley, Pastor, First Baptist Church in Brevard, North Carolina. **Page 10618**

Resignation of House Parliamentarian: Read a letter from the Honorable Charles W. Johnson wherein he resigned as Parliamentarian of the House of Representatives after 40 years of service, effective May 31, 2004. **Page 10618**

House Parliamentarian Appointed: The Speaker appointed John V. Sullivan as Parliamentarian of the House of Representatives to succeed Charles W. Johnson, resigned. **Page 10619**

Expressing Gratitude to the Honorable Charles W. Johnson, Parliamentarian: The House agreed to H. Res. 651, expressing the gratitude of the House of Representatives to its Parliamentarian, the Honorable Charles W. Johnson **Page 10619**

National Defense Authorization Act for Fiscal Year 2005: The House passed H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2005, by a recorded vote of 391 ayes to 34 noes, Roll No. 206. The bill was also considered on Wednesday, May 19. **Pages 10631, 10662**

Rejected the Waxman motion to recommit the bill to the Committee on Armed Services with instructions to report it back to the House forthwith with an amendment, by a recorded vote of 202 ayes to 224 noes, Roll No. 205. **Page 10672**

The amendment in the nature of a substitute recommended by the Committee on Armed Services printed in the bill was considered as an original bill for the purpose of amendment. **Page 10672**

Pursuant to section 4 of H. Res. 648, it was agreed on Wednesday, May 19, that the Slaughter amendment (No. 14 printed in H. Rept. 108–499) be considered out of the order printed in H. Rept. 108–499.

Pursuant to H. Res. 648, it was agreed on Wednesday, May 19, that certain amendments be placed in order as though printed in H. Rept. 108–499 and numbered 29, 30, 31, and 32; that amendment numbered 13 in H. Rept 108–499 be modified in the form that was placed at the desk; and that the amendments and the modification placed at the desk be considered as read. **Page 10631**

Agreed To:

Weldon of Pennsylvania (No. 4 printed in H. Rept. 108–499) amendment that was debated on Wednesday, May 19, that expresses the sense of Congress that the Secretary of Defense should assist the Iraqi Government in destroying the Abu Ghraib prison and replacing it with a modern detention facility (by a recorded vote of 308 ayes to 114 noes, Roll No. 201); **Page 10637**

Skelton amendment (No. 14 printed in H. Rept. 108–499) that was debated on Wednesday, May 19, that requires the Secretary of Defense to develop a comprehensive policy for the Department of Defense on the prevention of and response to sexual assaults involving members of the Armed Forces and requires the DoD to take related measures to address sexual assaults involving members of the Armed Forces (by a recorded vote of 410 ayes with none voting "no," Roll No. 202); **Page 10638**

Hunter en bloc amendment consisting of amendments printed in H. Rept. 108–499 and numbered 10, that makes a variety of substantive changes to the bill and makes a technical cite correction; No. 12, that clarifies provisions in the bill relating to tanker procurement; No. 13, that restores funds to the Department of Energy's Defense Site Acceleration Completion account for "Waste Incidental to Reprocessing"; No. 15, that directs the Secretary of Defense to eliminate the backlog in forensic evidence collection kits and to provide an adequate supply of forensic evidence collection kits at all domestic and overseas U.S. military installations, military academies, and theaters of operation; No. 16, that requires that sureties would be treated in the same manner as financing institutions when contractors default; No. 17, that allows procurement officials within the Department of Defense to include the creation of jobs in the United States as an evaluation factor; No. 18, that authorizes landscaping services and pest control for inclusion in the Comp Demonstration program; No. 19, that permits firefighter's Federal Excess Property Program, administered by the U.S. Forest Service, to screen Department of Defense excess property at the same level of law enforcement, defense contractors, defense-related organizations, and hu-

manitarians services for combating forest fires and other fire suppression purposes; No. 20, that expands the Department of Defense Excess Personal Property Disposal Program to include health agencies; No. 21, that requires the Secretary of Defense, when submitting a budget request for construction of a military medical treatment facility and the Secretary of Veteran's Affairs when proposing construction of a new or replacement medical facility, to certify that the facility was evaluated, with the consultation of the other Secretary, for the feasibility of establishing a joint DoD–VA medical facility; No. 22, that provides authority for removal of remains of certain persons interred in United States Military Cemeteries overseas; No. 23, that requires the Secretary of Defense to study various aspects of mental health services available to U.S. military personal deployed to combat theaters and requires the Secretary to submit a report of the study; No. 24, that specifies the membership of the Board of Visitors to the United States Air Force Academy and sets certain recommendations and requirements for meetings of the Board; No. 26, that corrects an Army regulation that requires South Korea-based combat troops to be involved in 5 firefights in order to qualify for their combat recognition medals; No. 27, that allows the Secretary of the Army to establish a Combat Service Recognition Ribbon to recognize participation in combat by members of the Army, regardless of branch; No. 28, that allows the Department of Defense, Nisqually Tribe, and Bonneville Power Administration to complete their agreement to move power lines currently crossing the Nisqually Indian Reservation to land on the Fort Lewis Army base; No. 29, that directs placement of a memorial at Arlington National Cemetery honoring noncitizen service members killed in the line of duty while serving in the U.S. Armed Forces; No. 30, that increases funds authorized for construction at Robins Air Force Base in Georgia, offset by a reduction in funds for Air Force Reserve land acquisition and construction; No. 31, that provides additional funds for the procurement of the Aircraft Wireless Intercom System and for bladefold kits for Apache helicopters; and No. 32, that establishes a college financial assistance program for the DC National Guard; **Page 10644**

Wamp amendment (No. 11 printed in H. Rept 108–499) that makes changes to the Energy Employees Occupational Illness Compensation Program; and **Page 10653**

Ryun of Kansas amendment (No. 25 printed in H. Rept. 108–499) that requires the Secretary of Defense to initiate senior officer official educational programs with Taiwan (by a recorded vote of 290 ayes to 132 noes, Roll No. 204). **Pages 10655, 10671**

Rejected:

Kennedy of Minnesota amendment (No. 8 printed in H. Rept. 108–499) that sought to eliminate the 2-year BRAC delay containing in the bill and require that certain reports be submitted to Congress approximately six months before any potential vote to disapprove the recommendations of the BRAC Commission in order to review and hold hearings on the report (by a recorded vote of 162 ayes to 259 noes, Roll No. 200; and **Page 10631**

Tauscher amendment (No. 9 printed in H. Rept. 108–499) that sought to transfer funds from the Department of Energy's Robust Nuclear Earth Penetrator and Advanced Concepts programs to increase both intelligence capabilities to get at hard and deeply buried targets and improved conventional bunker-busting capabilities (by a recorded vote of 204 ayes to 214 noes, Roll No. 203). **Pages 10640, 10670**

The Clerk was authorized to make technical and conforming changes to the bill. **Page 10675**

Agreed to amend the title so as to read: to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes. **Page 10675**

H. Res. 648, the rule providing for consideration of the bill was agreed to on Wednesday, May 19.

Miscellaneous Trade and Technical Corrections Act of 2003: The House disagreed to the Senate amendments to H.R. 1047, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and agreed to a conference. **Page 10639**

Appointed as conferees: From the Committee on Ways and Means for consideration of the House bill and the Senate amendments, and modifications committed in conference, Representatives Thomas, Crane, Shaw, Rangel, and Levin. **Page 10639**

Child Credit Preservation and Expansion Act of 2004: The House passed H.R. 4359, to amend the Internal Revenue Code of 1986 to increase the child tax credit, by a recorded vote of 271 ayes to 139 noes, Roll No. 209. **Page 10677**

Rejected the Levin amendment in the nature of a substitute printed in H. Rept. 108–496 by a yea and nay vote of 187 yeas to 226 nays, Roll No. 208. **Page 10685**

H. Res. 644, the rule providing for consideration of the bill was agreed to by a voice vote. **Page 10657**

Participation of Taiwan in the World Health Organization: Agreed to take from the Speaker's table and pass S. 2092, to address the participation of Taiwan in the World Health Organization—clearing the measure for the President. **Page 10675**

Memorial Day District Work Period: The House agreed to H. Con. Res. 432, providing for the conditional adjournment of the House and the conditional adjournment or recess of the Senate, by a yea and nay vote of 222 yeas to 193 nays, Roll No. 207. **Page 10676**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 4 p.m. on Monday, May 24,

unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 432, in which case the House shall stand adjourned pursuant to that concurrent resolution. Page 10694

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, June 2. Page 10694

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Gilchrest or, if not available to perform this duty, Representative Thornberry to act as Speaker pro tempore for sign enrolled bills and joint resolutions through June 1, 2004. Page 10694

Presidential Messages: Read a letter from the President wherein he notified the Congress of the continuation of the national emergency protecting the Development Fund for Iraq—referred to the Committee on International Relations and ordered printed (H. Doc. 108–187); and Page 10694

Read a letter from the President wherein he transmitted the 8th biennial revision (2004–2008) to the United States Arctic Research Plan—referred to the Committee on Science. Page 10694

Read a letter from the President wherein he transmitted a report entitled "2004 Comprehensive Report on U.S. Trade and Investment Policy for Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act"—referred to the Committee on Ways and Means. Page 10717

Senate Message: Message received from the Senate today appears on page 10618.

Senate Referral: S. 213, S. 524, S. 943, S. 960, S. 1107, S. 1577, and S. 2178 were referred to the Committee on Resources; S. 1576 was referred to the Committee on Energy and Commerce; and S. 15, S. 1167, S. 1516, and S. 1848 were held at the desk. Page 1054

Quorum Calls—Votes: Two yea and nay votes and eight recorded votes developed during the proceedings of today and appear on pages 10636–39, 10670–72, 10674–77, and 10692–93. There were no quorum calls.

Adjournment: The House met at 10 a.m. and pursuant to the provisions of H. Con. Res. 432, the House stands adjourned until 4 p.m. on Monday, May 24, 2004, unless it sooner has received a message from the Senate transmitting its adoption of H. Con. Res. 432, in which case the House shall stand adjourned until 2 p.m. on Tuesday, June 1.

Committee Meetings

FARM SECURITY AND RURAL INVESTMENT ACT REVIEW

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing to review the Farm Security and Rural Investment Act of 2002. Testimony was heard from Keith Collins, Chief Economist, USDA; and public witnesses.

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing and Related Programs held a hearing on Department of the Treasury (International Affairs). Testimony was heard from John Taylor, Under Secretary, International Affairs, Department of the Treasury.

TRANSPORTATION, TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury, and Independent Agencies held a hearing on the Secretary of the Treasury. Testimony was heard from John W. Snow, Secretary of the Treasury.

EPA'S RESOURCE CONSERVATION CHALLENGE

Committee on Energy and Commerce: Subcommittee on Environment and Hazardous Materials held a hearing entitled "EPA's Resource Conservation Challenge." Testimony was heard from Matthew Hale, Deputy Director, Office of Solid Waste, EPA.

MEDICARE PRESCRIPTION DRUG DISCOUNT CARDS

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Medicare Prescription Drug Discount Cards: Immediate Savings for Seniors." Testimony was heard from Mark B. McClellan, M.D., Administrator, Centers for Medicare and Medicaid Services, Department of Health and Humans Services; and public witnesses.

OVERSIGHT—HUD'S BUDGET

Committee on Financial Services: Held an oversight hearing on the Department of Housing and Urban Development, including the Department's budget request for fiscal year 2005. Testimony was heard from Alphonso Jackson, Secretary of Housing and Urban Development.

FEDERAL CHILD WELFARE PROGRAMS

Committee on Government Reform: Held a hearing entitled "Redundancy and Duplication in Federal Child Welfare Programs: A Case Study on the Need for Executive Reorganization Authority." Testimony was heard from Representative DeLay; Wade Horn, Assistant Secretary for Children and Families, Department of Health and Human Services; J. Robert Flores, Administrator, Office of Juvenile Justice and Delinquency Prevention, Department of Justice; and Colien Hefferan, Administrator, Cooperative State Research, Education, and Extension Service, USDA.

"HISTORIC PRESERVATION OF THE PEOPLING OF AMERICA"

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Historic Preservation of the Peopling of America." Testimony was heard from Janet Snyder Matthews, Associate Director, Cultural Resources, National Park Service, Department of the Interior; and public witnesses.

OVERSIGHT—FEC AND THE 527 RULEMAKING PROCESS

Committee on House Administration: Held an oversight hearing on the Federal Election Commission and the 527 Rulemaking Process. Testimony was heard from the following officials of the Federal Election Commission: Bradley A. Smith, Chairman; Ellen L. Weintraub, Vice Chair; Scott E. Thomas and Michael Toner, both Commissioners.

ADMINISTRATIVE CONFERENCE OF THE U.S. REAUTHORIZATION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held an oversight hearing entitled "Reauthorization of the Administrative Conference of the United States." Testimony was heard from the following Associate Justices of the Supreme Court: Antonin Scalia and Stephen G. Beyer.

OVERSIGHT

Committee on the Judiciary: Subcommittee on Courts, Internet, and Intellectual Property held an oversight hearing entitled "Derivative Rights, Moral Rights, and Movie Filtering Technology." Testimony was heard from public witnesses.

OVERSIGHT—DRAFT REPORT OF THE COMMISSION ON OCEAN POLICY

Committee on Resources: Held an oversight hearing on the "Draft Report of the U.S. Commission on Ocean Policy." Testimony was heard from ADM James D. Watkins, USN (Ret.), Chairman, U.S. Commission on Ocean Policy.

STEEL AND ALUMINUM ENERGY CONSERVATION AND TECHNOLOGY COMPETITIVENESS ACT

Committee on Science: Subcommittee on Energy held a hearing on An Examination of H.R. 3890, to reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988. Testimony was heard from. Douglas L. Faulkner, Principal Deputy Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy; and public witnesses.

REFORMING REGULATION

Committee on Small Business: Subcommittee on Regulatory Reform and Oversight held a hearing on Reforming Regulation to Keep America's Small Businesses Competitive. Testimony was heard from Representative Hayworth; and public witnesses.

OVERTIME REGULATIONS' EFFECT ON SMALL BUSINESS

Committee on Small Business: Subcommittee on Workforce, Empowerment, and Government Programs held a hearing on the Department of Labor's Overtime Regulations' Effect on Small Business. Testimony was heard from Alfred B. Robinson, Deputy Administrator, Wage and Hour Division, Department of Labor; and public witnesses.

OVERSIGHT—GREAT LAKES WATER QUALITY AND RESTORATION EFFORTS

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held an oversight hearing on Great Lakes Water Quality and Restoration Efforts. Testimony was heard from Thomas V. Skinner, Manager, Great Lakes National Program Office, EPA; Gerald W. Barnes, Director of Programs, Great Lakes and Ohio River Division, U.S. Army Corps of Engineers; Stephen B. Brandt, Director, Great Lakes Environmental Research Laboratory, NOAA, Department of Commerce; R. Mack Gray, Deputy Under Secretary, Natural Resources and Environment, USDA; and Robyn Thorson, Regional Director, Midwest Region, U.S. Fish and Wildlife Service, Department of the Interior.

Hearings continue tomorrow.

SSI PROGRAM

Committee on Ways and Means: Subcommittee on Human Resources held a hearing on the SSI program. Testimony was heard from Robert E. Robertson, Director, Education, Workforce, and Income Security Issues, GAO; Patrick O'Carroll, Acting Inspector General, SSA; David Podoff, member, Social Security Advisory Board; and public witnesses.

BRIEFING—DETAINEE ISSUES RELATED TO GLOBAL WAR ON TERRORISM

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on detainee issues related to the Global War on terrorism. The Committee was briefed by MG Jeffery Miller, USA, Deputy Commander for Detainee Operations, Commander Joint Task Force 7, Department of Defense.

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Friday, May 21, 2004

Senate

Chamber Action

Routine Proceedings, pages 10766–10975

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 2473–2480, and S. Con. Res. 112–113. **Page 10803**

Measures Reported: S. 2273, to provide increased rail transportation security, with amendments. (S. Rept. No. 108–278) **Page 10803**

Measures Passed:

World War II Memorial: Senate agreed to S. Res. 362, expressing the sense of the Senate on the dedication of the National World War II Memorial on May 29, 2004, in recognition of the duty, sacrifices, and valor of the members of the Armed Forces of the United States who served in World War II. **Page 10778**

World War II Memorial: Senate agreed to H. Con. Res. 409, recognizing with humble gratitude the more than 16,000,000 veterans who served in the United States Armed Forces during World War II and the Americans who supported the war effort on the home front and celebrating the completion of the National World War II Memorial on the National Mall in the District of Columbia. **Page 10778**

World War II Memorial: Senate agreed to H. Con. Res. 423, authorizing the use of the Capitol Grounds for activities associated with the dedication of the National World War II Memorial. **Page 10779**

Department of Defense Authorization Act: Senate continued consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, taking action on the following amendments proposed thereto: **Pages 10767, 10780**

Adopted:

Warner/Levin Amendment No. 3240, to strike an amendment to the Internal Revenue Code of 1986. **Page 10769**

Warner (for Graham (SC)) Amendment No. 3227, to except from criminal offense the receipt of pay from an employer by a Reservist on active duty in connection with a contingency operation. **Page 10770**

Levin (for Landrieu/Warner) Amendment No. 3171, to authorize representatives of veterans service organizations to appear at pre-separation counseling provided by the Department of Defense. **Page 10770**

Warner (for Graham (SC)) Modified Amendment No. 3228, to increase by $3,000,000 the amount authorized to be appropriated by section 201(2) for research, development, test, and evaluation for the Navy and make the increase available for infrastructure system security engineering development, and to provide an offset. **Page 10770**

Levin (for Nelson (NE)) Amendment No. 3241, to increase by $2,000,000 the amount authorized to be appropriated for research, development, test, and evaluation, Defense-wide activities, and make the increase available for neurotoxin mitigation research, and to provide an offset. **Page 10771**

Warner (for Grassley) Amendment No. 3242, to provide for the consolidation and improvement of authorities for army working-capital funded facilities to engage in public-private partnerships. **Page 10771**

Levin (for Feinstein) Amendment No. 3243, to provide for the conveyance of land at March Air Force Base, California. **Page 10772**

Warner (for Santorum) Modified Amendment No. 3166, to require a report on the maturity and effectiveness of the Global Information Grid-Bandwidth Expansion (GIG–BE) network. **Page 10772**

Pending:

Graham (SC) Amendment No. 3170, to provide for the treatment by the Department of Energy of waste material. **Page 10767**

Crapo Amendment No. 3226 (to Amendment No. 3170), of a perfecting nature. **Page 10767**

Class Action Fairness Act: Senate began consideration of the motion to proceed to consideration of S. 5502062, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants. **Page 10972**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of May 21, 2004, a vote on cloture will occur at 5:30 p.m., on Tuesday, June 1, 2004. **Page 10972**

A unanimous-consent-time agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at 2:15 p.m., on Tuesday, June 1, 2004. **Page 10972**

Authority for Committees—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, all committees were authorized to file legislative and executive reports during the adjournment of the Senate on Wednesday, May 26, 2004, from 10 a.m. until 12 noon. **Page 10973**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader or the Assistant Majority Leader, be authorized to sign duly enrolled bills or joint resolutions. **Page 10974**

Appointment Authority—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Democratic Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized

by law, by concurrent action of the two Houses, or by order of the Senate. Page 10974

Nominations Confirmed: Senate confirmed the following nominations:

Francis Mulvey, of Maryland, to be a Member of the Surface Transportation Board for a term expiring December 31, 2007.

W. Douglas Buttrey, of Tennessee, to be a Member of the Surface Transportation Board for a term expiring December 31, 2008.

Linda Morrison Combs, of North Carolina, to be an Assistant Secretary of Transportation.

Miles T. Bivins, of Texas, to be Ambassador to Sweden.

John J. Danilovich, of California, to be Ambassador to the Federative Republic of Brazil.

Deborah Hersman, of Virginia, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2008.

Earle I. Mack, of New York, to be Ambassador to the Republic of Finland.

Jack Dyer Crouch II, of Missouri, to be Ambassador to Romania.

Jendayi Elizabeth Frazer, of Virginia, to be Ambassador to the Republic of South Africa.

Mitchell B. Reiss, of Virginia, for the rank of Ambassador during his tenure of service as Special Envoy for Northern Ireland.

Thomas Hill Moore, of Florida, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2003. (Reappointment)

Victor Henderson Ashe, of Tennessee, to be Ambassador to the Republic of Poland. Pages 10973, 10975

Messages From the House: Page 10802

Measures Placed on Calendar: Page 10802

Additional Cosponsors: Page 10803

Statements on Introduced Bills/Resolutions: Page 10804

Additional Statements: Page 10798

Amendments Submitted: Page 10825

Privilege of the Floor: Page 10829

Text of H.R. 3550, as Previously Passed: Page 10829

Adjournment: Senate met at 9:30 a.m., and, in accordance with the provisions of H. Con. Res. 432, adjourned at 2:39 p.m., until 10 a.m., on Tuesday, June 1, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 10974.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to the provisions of H. Con. Res. 432, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, it stands adjourned until 2 p.m. on Tuesday, June 1, 2004.

Committee Meetings

OPERATION IRAQI FREEDOM

Committee on Armed Services: Held a hearing on the conduct and support of Operation Iraqi Freedom. Testimony was heard from the following officials of the Department of Defense: GEN Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff; GEN Peter J. Schoonmaker, USA, Chief of Staff, Army; and GEN Michael W. Hagee, USMC, Commandant of the Marine Corps.

DC'S LEAD CONTAMINATION EXPERIENCE—LESSONS LEARNED

Committee on Government Reform: Held a hearing entitled "Thirsty for Results: Lessons Learned from the District of Columbia's Lead Contamination Experience." Testimony was heard from the following officials of the EPA: Benjamin Grumbles, Acting Administrator, Water; and Donald Welsh, Administrator, Region III; Thomas P. Jacobus, General Manager, Washington Aqueduct, Baltimore District, U.S. Army Corps of Engineers; Jerry N. Johnson, General Manager, Water and Sewer Authority, District of Columbia; and public witnesses.

OVERSIGHT—GREAT LAKES WATER QUALITY AND RESTORATION EFFORTS

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment concluded oversight hearings on Great Lakes Water Quality and Restoration Efforts. Testimony was heard from Representatives Kirk and Emanuel; and public witnesses.

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Tuesday, June 1, 2004

Senate

Chamber Action

Routine Proceedings, pages 11014–59

Measures Introduced: Six bills and one resolution were introduced, as follows: S. 2481–2486, and S. Res. 368. Page 11035

Measures Passed:

Commending University of Virginia Cavaliers Women's Lacrosse Team: Senate agreed to S. Res. 368, com-

mending the University of Virginia Cavaliers women's lacrosse team for winning the 2004 NCAA Division I women's lacrosse National Championship.

Pages 11053, 11057

Department of Defense Authorization Act—Agreement: A unanimous-consent agreement was reached providing for further consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, at approximately 10:45 a.m., on Wednesday, June 2, 2004, and that only certain first degree amendments be in order, and that those amendments be subject to relevant second degree amendments.

Page 11058

Class Action Fairness Act—Agreement: A unanimous-consent agreement was reached vitiating the previously scheduled motion to invoke cloture on the motion to proceed to consideration of S. 2062, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants.

Page 11058

A unanimous-consent agreement was reached providing that upon the conclusion of S. 2400, DOD Authorization, Senate will begin consideration of S. 2062. Page 11058

Nominations Confirmed: Senate confirmed the following nomination:

By unanimous vote of 89 yeas (Vote No. Ex. 104), F. Dennis Saylor IV, of Massachusetts, to be United States District Judge for the District of Massachusetts.

Pages 11024, 11059

Nominations Received: Senate received the following nominations:

Peter Cyril Wyche Flory, of Virginia, to be an Assistant Secretary of Defense.

Carin M. Barth, of Texas, to be Chief Financial Officer, Department of Housing and Urban Development.

Veronica Vargas Stidvent, of Texas, to be an Assistant Secretary of Labor.

John H. Hager, of Virginia, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education.

Herman Belz, of Maryland, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Tamar Jacoby, of New Jersey, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Craig Haffner, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

James Davidson Hunter, of Virginia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Harvey Klehr, of Georgia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Thomas K. Lindsay, of Texas, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Iris Love, of Vermont, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Thomas Mallon, of Connecticut, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010. (Reappointment)

Ricardo Quinones, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Robert Cramer Balfe III, of Arkansas, to be United States Attorney for the Western District of Arkansas for the term of four years.

David E. Nahmias, of Georgia, to be United States Attorney for the Northern District of Georgia for the term of four years.

William Sanchez, of Florida, to be Special Counsel for Immigration-Related Unfair Employment Practices for a term of four years.

1 Army nomination in the rank of general.

Routine lists in the Navy. Page 11059

Executive Communications: Page 11034

Additional Cosponsors: Page 11035

Statements on Introduced Bills/Resolutions: Page 10037

Additional Statements: Page 11031

Amendments Submitted: Page 11053

Notices of Hearings/Meetings: Page 11057

Record Votes: One record vote was taken today. (Total—104) Page 11025

Adjournment: Senate convened at 10 a.m., and adjourned at 6:37 p.m., until 9:45 a.m., on Wednesday, June 2, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on Page 11058.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 7 public bills, H.R. 4470–4476; and 4 resolutions, H. Res. 655–658, were introduced.

Page 11123

Additional Cosponsors: Page 11124

Reports Filed: Reports were filed today as follows:

H.R. 4278. A bill to amend the Assistive Technology Act of 1998 to support programs of grants to States to address the assistive technology needs of individuals with disabilities, amended (H. Rept. 108–514);

H.R. 2010. A bill to protect the voting rights of members of the Armed Services in elections for the Delegate representing American Samoa in the United States House of Representatives, amended (H. Rept. 108–515);

H.R. 3785. A bill to authorize the exchange of certain land in Everglades National Park, amended (H. Rept. 108–516);

S. 144. An act to require the Secretary of the Interior to establish a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, nonnative weeds on pubic and private land, amended (H. Rept. 108–517, Part 1);

H. Res. 656. A resolution providing for consideration of the bill (H.R. 444) to amend the Workforce Investment Act of 1998 to establish a Personal Reemployment Accounts grant program to assist Americans in returning to work (H. Rept. 108–518); and

H. Res. 657. A resolution providing for consideration of the jont reslution (H.J. Res. 83) proposing an amendment to the Constitution of the United States regarding the appointment of individuals to fill vacancies in the House of Representatives (H. Rept. 108–519).

Page 11123

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Upton to act as Speaker Pro Tempore for today. Page 11060

Chaplain: The prayer was offered today by Rev. John Roller, Pastor Emeritus, St. Thomas Becket Parish in Mt. Prospect, Illinois. Page 11060

Suspensions: The House agreed to suspend the rules and agree to the following measures:

Congratulating and saluting Focus: HOPE on the occasion of its 35th anniversary: H. Con. Res. 295, congratulating and saluting Focus: HOPE on the occasion of its 35th anniversary and for its remarkable commitment and contributions to Detroit, the State of Michigan, and the United States, by a ⅔ yea-and-nay vote of 374 yeas to 0 nays, Roll No. 210; Pages 11061, 11083

Recognizing those who responded to the fire in Richmond, Virginia on March 26, 2004: H. Res. 612, amended, recognizing and honoring the firefighters, police, public servants, civilians, and private businesses who responded to the devastating fire in Richmond, Virginia, on March 26, 2004, by a ⅔ yea-and-nay vote of 375 yea to 0 nays, Roll No. 211; Page 11064, 11084

Honoring the Tuskegee Airmen: H. Con. Res. 417, honoring the Tuskegee Airmen and their contribution in creating an integrated United States Air Force, the world's foremost Air and Space Supremacy Force, by a ⅔ yea-and-nay vote of 378 yeas to 0 nays, Roll No. 212; Pages 11066, 11084

Designating the Department of Veterans Affairs outpatient clinic in Lufkin, Texas as the "Charles Wilson Department of Veterans Affairs Outpatient Clinic": H.R. 4317, to name the Department of Veterans Affairs outpatient clinic located in Lufkin, Texas, as the "Charles Wilson Department of Veterans Affairs Outpatient Clinic"; Page 11072

Health, Safety, and Security of Peace Corps Volunteers Act of 2004: H.R. 4060, to amend the Peace Corps Act to establish an Ombudsman and an Office of Safety and Security of the Peace Corps; Page 11074

Mount Rainier National Park Boundary Adjustment Act of 2003: H.R. 265, amended, to provide for an adjustment of the boundaries of Mount Rainier National Park; Page 11078

Reaffirming the inherent sovereign rights of the Osage Tribe to determine its membership and form of government: H.R. 2912, to reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government; and Page 11079

National Great Black Americans Commemoration Act of 2003: S. 1233, amended, to authorize assistance for the National Great Blacks in Wax Museum and Justice Learning Center. Page 11080

Suspensions—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed until Wednesday, June 2.

Recognizing the 60th anniversary of the Allied landing at Normandy during World War II: S.J. Res. 28, recognizing the 60th anniversary of the Allied landing at Normandy during World War II; Page 11070

Recess: The House recessed at 4:02 p.m. and reconvened at 6:30 p.m. Page 11083

Senate Message: Message received from the Senate today appears on page 11060.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages 11083–85. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 11:52 p.m.

Committee Meetings

GULF WAR ILLNESSES—STATUS OF RESEARCH AND INVESTIGATIONS

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Examining the Status of Gulf War Research and Investigations on Gulf War Ill-

nesses." Testimony was heard from the following officials of the GAO: Janet Heinrich, Director, Health Care-Public Health Issues; and Keith Rhodes, Chief General Accounting Technologist; Jonathan B. Perlin, M.D., Acting Under Secretary, Health and Acting Chief Research and Development Officer, Department of Veterans Affairs; MG Lester Martinez-Lopez, U.S. Army, Commanding General, U.S. Army Medical Research and Materiel Command, Department of Defense; and public witnesses.

BACK TO WORK INCENTIVE ACT

Committee on Rules: Granted, by a record vote of 8 to 2, a closed rule providing 1 hour of debate in the House on H.R. 444, Back to Work Incentive Act of 2003, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule provides that an amendment in the nature of a substitute consisting of the text of H.R. 4444 shall be considered as adopted. The rule provides one motion to recommit with or without instructions.

Section 2 of the rule provides that in the engrossment of H.R. 444, the clerk shall add the texts of H.R. 4409 and H.R. 4410 as passed by the House, as new matter at the end of H.R. 444, and then lay H.R. 4409 and H.R. 4410 on the table. Finally, the rule provides that if H.R. 444 is disposed of without reaching the stage of engrossment, either H.R. 4409 or H.R. 4410, whichever first passes the House shall be treated in the manner specified for H.R. 444 and the other bill shall be laid on the table. Testimony was heard from Representatives McKeon, Porter, and Kildee.

HOUSE OF REPRESENTATIVES—CONSTITUTIONAL AMENDMENT REGARDING APPOINTMENT OF INDIVIDUALS TO FILL VACANCIES

Committee on Rules: The Committee granted, by a record vote of 8 to 2, a closed rule providing 90 minutes of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. Finally, the rule provides one motion to recommit. Testimony was heard from Chairman Sensenbrenner and Representatives Rohrabacher, Nadler, and Baird.

FASTER AND SMARTER FUNDING FOR FIRST RESPONDERS ACT

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management approved for full Committee action, as amended, H.R. 3266, Faster and Smarter Funding for First Responders Act of 2004.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED EIGHTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 20 through May 31, 2004

	Senate	*House*	*Total*
Days in session	68	54	..
Time in session	512 hrs., 47′	366 hrs., 7′	..
Congressional Record:			
Pages of proceedings	6,252	3,541	..
Extensions of Remarks	..	965	..
Public bills enacted into law	12	24	36
Private bills enacted into law	..	..	..
Bills in conference	2	10	..
Measures passed, total	159	212	371
Senate bills	38	14	..
House bills	28	81	..
Senate joint resolutions	2	..	..
House joint resolutions	..	3	..
Senate concurrent resolutions	13	5	..
House concurrent resolutions	20	33	..
Simple resolutions	58	76	..
Measures reported, total*	89	105	194
Senate bills	65	2	..
House bills	11	64	..
Senate joint resolutions	1	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	3	..	..
House concurrent resolutions	2	6	..
Simple resolutions	7	32	..
Special reports	1	1	..
Conference reports	1	2	..
Measures pending on calendar	210	104	..
Measures introduced, total	598	1,041	1,639
Bills	476	769	..
Joint resolutions	11	13	..
Concurrent resolutions	27	90	..
Simple resolutions	84	169	..
Quorum calls	..	1	..
Yea-and-nay votes	103	145	..
Recorded votes	..	63	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 57 reports have been filed in the Senate, a total of 108 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 20 through May 31, 2004

Civilian nominations, totaling 361, (including 195 nominations carried over from the First Session), disposed of as follows:	
Confirmed	83
Unconfirmed	263
Withdrawn	14
Returned to White House	1
Other Civilian nominations, totaling 2,321 (including 5 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,093
Unconfirmed	1,227
Withdrawn	1
Air Force nominations, totaling 7,996 (including 3,572 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,739
Unconfirmed	3,257
Army nominations, totaling 1,931 (including 594 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,518
Unconfirmed	413
Navy nominations, totaling 5,330 (including 2,444 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,585
Unconfirmed	745
Marine Corps nominations, totaling 1,220 (including 2 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,199
Unconfirmed	21

Summary

Total nominations carried over from the First Session	6,812
Total nominations received this Session	12,347
Total confirmed	13,217
Total unconfirmed	5,926
Total withdrawn	15
Total returned to the White House	1

Wednesday, June 2, 2004

Senate

Chamber Action

Routine Proceedings, pages 11137–11226

Measures Introduced: Seven bills and one resolution were introduced, as follows: S. 2487–2493, and S. Res. 369. Page 11188

Measures Passed:

Honoring WW II Service: Senate agreed to S. Res. 369, expressing the sense of the Senate in honoring the service of the men and women who served in the Armed Forces of the United States during World War II. Page 11162

American Indian Probate Reform Act: Senate passed S. 1721, to amend the Indian Land Consolidation Act to improve provisions relating to probate of trust and restricted land, after agreeing to the committee amendment in the nature of a substitute. Page 11207

Department of Defense Authorization Act: Senate resumed consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, taking action on the following amendments purposed thereto: Pages 11145, 11175

Adopted:

By 70 yeas to 25 nays (Vote No. 105), Graham (SC)/Daschle Amendment No. 3258, to amend title 10, United States Code, to expand certain authorities to provide health care benefits for Reserves and their families. Page 11145

By a unanimous vote of 95 yeas (Vote No. 106), Warner Modified Amendment No. 3260, to authorize appropriations for a contingent emergency reserve fund for operations in Iraq and Afghanistan. Page 11175

Pending:

Graham (SC) Amendment No. 3170, to provide for the treatment by the Department of Energy of waste material. Page 11145

Crapo Amendment No. 3226 (to Amendment No. 3170), of a perfecting nature. Page 11145

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:45 a.m., on Thursday, June 3, 2004; further, that Graham (SC) Amendment No. 3170 and Crapo Amendment No. 3226 (to Amendment No. 3170) (both listed above), be agreed to, and that Senator Cantwell be recognized to offer an amendment, with a vote on or in relation to the amendment to occur at approximately 2:30 p.m. Page 11226

Nominations—Agreement: A unanimous-consent agreement was reached providing that on Thursday, June 3, 2004, following the vote on or in relation to Cantwell amendment to S. 2400 (listed above), Senate will vote on the nominations of Sandra L. Townes, to be United States District Judge for the Eastern District of New York, Kenneth M. Karas, to be United States District Judge for the Southern District of New York, and Judith C. Herrera, to be United States District Judge for the District of New Mexico. Page 11225

Messages From the House: Page 11185

Measures Referred: Page 11156

Enrolled Bills Presented: Page 11186

Executive Communications: Page 11186

Executive Reports of Committees: Page 11187

Additional Cosponsors: Page 11188

Statements on Introduced Bills/Resolutions: Page 11189

Additional Statements: Page 11182

Amendments Submitted: Page 11203

Authority for Committees to Meet: Page 11206

Record Votes: Two record votes were taken today. (Total—106) Pages 11162, 11177

Adjournment: Senate convened at 9:46 a.m., and adjourned at 6:41 p.m., until 9:45 a.m., on Thursday, June 3, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 11226.)

Committee Meetings

APPROPRIATIONS: DEPARTMENT OF DEFENSE (IRAQ AND AFGHANISTAN)

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Iraq and Afghanistan Contingent Emergency Reserve Fund, after receiving testimony from Joel D. Kaplan, Deputy Director, Office of Management and Budget; Larry J. Lanzillotta, Acting Under Secretary of Defense (Comptroller); and General Peter Pace, USMC, Vice Chairman, Joint Chiefs of Staff.

NATIONAL SECURITY

Committee on Armed Services: Committee met in closed session to receive a briefing on certain national security issues from Condoleezza Rice, National Security Advisor.

SECURITIES INVESTMENT PROTECTION

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the role of State securities regulators in protecting investors, focusing on efforts to enforce securities laws, investment adviser registration and licensing, State investigations into mutual fund industry abuses, and investor education programs, after receiving testimony from New Jersey Attorney General Peter C. Harvey, Trenton; Ralph A. Lambiase, Connecticut Department of Banking, Hartford, and Joseph P. Borg, Alabama Securities Commission, Montgomery, both on behalf of the North American Securities Administrators Association; Charles Leven, AARP, Washington, D.C.; and Juanita Periman, Butte, Montana.

FIREFIGHTING AIRCRAFT SAFETY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the status of fire fighting aircraft, focusing on the respective roles the Federal Aviation Administration, the Forest Service, and the Department of the Interior play in the safety oversight of firefighting operations conducted on behalf of the Forest Service and the Department of the Interior, after receiving testimony from Ellen Engleman Conners, Chairman, National Transportation Safety Board; Nicholas A. Sabatini, Associate Administrator, Regulation and Certification, Federal Aviation Administration, Department of Transportation; Mark E. Rey, Under Secretary of Agriculture for Natural Resources and Environment; Mark Timmons, Neptune Aviation Services, Missoula International Airport, Missoula, Montana; and William W. Grantham, International Air Response Inc., Chandler, Arizona.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Jon D. Leibowitz, of Maryland, who was introduced by Senators Kohl and DeWine, and Deborah P. Majoras, of Virginia, who was introduced by Senator DeWine, each to be a Federal Trade Commissioner, Brett T. Palmer, of New York, to be Assistant Secretary of Commerce for Legislative and Intergovernmental Affairs, Benjamin H. Wu, of Maryland, to be Assistant Secretary of Commerce for Technology Policy, who was introduced by Representative Boehlert, Enrique J. Sosa, of Florida, to be a Member of the Reform Board (Amtrak), and Scott Kevin Walker, of Wisconsin, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation, who was introduced by Representative Paul Ryan, after each nominee testified and answered questions in their own behalf.

GREATER MIDDLE EAST INITIATIVE

Committee on Foreign Relations: Committee concluded a hearing to examine the Administration's proposed Greater Middle East Initiative, focusing on economic, social and political reform in the G8 Broader Middle East and North Africa, after receiving testimony from Alan P. Larson, Under Secretary of State for Economic, Business and Agricultural Affairs; His Royal Highness Prince El Hassan bin Talal of the Hashemite Kingdom of Jordan, Amman, Jordan; Patrick M. Cronin, Center for Strategic and International Studies, Washington, D.C.; and Alan R. Richards, University of California, Santa Cruz.

BUSINESS MEETING

Committee on Governmental Affairs: Committee ordered favorably reported the following business items:

S. 2468, to reform the postal laws of the United States, with an amendment in the nature of a substitute;

S. 346, to amend the Office of Federal Procurement Policy Act to establish a governmentwide policy requiring competition in certain executive agency procurements, with an amendment;

S. 1292, to establish a servitude and emancipation archival research clearinghouse in the National Archives, with an amendment;

S. 2249, to amend the Stewart B. McKinney Homeless Assistance Act to provide for emergency food and shelter;

S. 2322, to amend chapter 90 of title 5, United States Code, to include employees of the District of Columbia courts as participants in long term care insurance for Federal employees;

S. 2351, to establish a Federal Interagency Committee on Emergency Medical Services and a Federal Interagency Committee on Emergency Medical Services Advisory Council;

S. 2479, to amend chapter 84 of title 5, United States Code, to provide for Federal employees to make elections to make, modify, and terminate contributions to the Thrift Savings Fund at any time;

H.R. 1303, to amend the E-Government Act of 2002 with respect to rulemaking authority of the Judicial Conference;

S. 2017, to designate the United States courthouse and post office building located at 93 Atocha Street in Ponce, Puerto Rico, as the "Luis A. Ferre United States Courthouse and Post Office Building";

S. 2214, to designate the facility of the United States Postal Service located at 3150 Great Northern Avenue in Missoula, Montana, as the "Mike Mansfield Post Office";

S. 2415, to designate the facility of the United States Postal Service located at 4141 Postmark Drive, Anchorage, Alaska, as the "Robert J. Opinsky Post Office Building";

H.R. 1822, to designate the facility of the United States Postal Service located at 3751 West 6th Street in Los Angeles, California, as the "Dosan Ahn Chang Ho Post Office";

H.R. 2130, to redesignate the facility of the United States Postal Service located at 121 Kinderkamack Road

in River Edge, New Jersey, as the "New Bridge Landing Post Office";

H.R. 2438, to designate the facility of the United States Postal Service located at 115 West Pine Street in Hattiesburg, Mississippi, as the "Major Henry A. Commiskey, Sr. Post Office Building";

H.R. 3029 and S. 1596, bills to designate the facility of the United States Postal Service located at 255 North Main Street in Jonesboro, Georgia, as the "S. Truett Cathy Post Office Building";

H.R. 3059, to designate the facility of the United States Postal Service located at 304 West Michigan Street in Stuttgart, Arkansas, as the "Lloyd L. Burke Post Office";

H.R. 3068, to designate the facility of the United States Postal Service located at 2055 Siesta Drive in Sarasota, Florida, as the "Brigadier General (AUS-Ret.) John H. McLain Post Office";

H.R. 3234 and S. 1763, bills to designate the facility of the United States Postal Service located at 14 Chestnut Street in Liberty, New York, as the "Ben R. Gerow Post Office Building";

H.R. 3300, to designate the facility of the United States Postal Service located at 15500 Pearl Road in Strongsville, Ohio, as the "Walter F. Ehrnfelt, Jr. Post Office Building";

H.R. 3353, to designate the facility of the United States Postal Service located at 525 Main Street in Tarboro, North Carolina, as the "George Henry White Post Office Building";

H.R. 3536, to designate the facility of the United States Postal Service located at 210 Main Street in Malden, Illinois, as the "Army Staff Sgt. Lincoln Hollinsaid Malden Post Office";

H.R. 3537, to designate the facility of the United States Postal Service located at 185 State Street in Manhattan, Illinois, as the "Army Pvt. Shawn Pahnke Manhattan Post Office";

H.R. 3538, to designate the facility of the United States Postal Service located at 201 South Chicago Avenue in Saint Anne, Illinois, as the "Marine Capt. Ryan Beaupre Saint Anne Post Office";

H.R. 3690 and S. 2104, bills to designate the facility of the United States Postal Service located at 2 West Main Street in Batavia, New York, as the "Barber Conable Post Office Building";

H.R. 3733, to designate the facility of the United States Postal Service located at 410 Huston Street in Altamont, Kansas, as the "Myron V. George Post Office";

H.R. 3740 and S. 2153, bills to designate the facility of the United States Postal Service located at 223 South Main Street in Roxboro, North Carolina, as the "Oscar Scott Woody Post Office Building";

H.R. 3769, to designate the facility of the United States Postal Service located at 137 East Young High Pike in Knoxville, Tennessee, as the "Ben Atchley Post Office Building";

H.R. 3855 and S. 2441, bills to designate the facility of the United States Postal Service located at 607 Pershing Drive in Laclede, Missouri, as the "General John J. Pershing Post Office";

H.R. 3917 and S. 2255, bills to designate the facility of the United States Postal Service located at 695 Marconi Boulevard in Copiague, New York, as the "Maxine S. Postal United States Post Office";

H.R. 3939 and S. 2291, bills to redesignate the facility of the United States Postal Service located at 14–24 Abbott Road in Fair Lawn, New Jersey, as the "Mary Ann Collura Post Office Building";

H.R. 3942, to redesignate the facility of the United States Postal Service located at 7 Commercial Boulevard in Middletown, Rhode Island, as the "Rhode Island Veterans Post Office Building";

H.R. 4037 and S. 2442, bills to designate the facility of the United States Postal Service located at 475 Kell Farm Drive in Cape Girardeau, Missouri, as the "Richard G. Wilson Processing and Distribution Facility";

H.R. 4176, to designate the facility of the United States Postal Service located at 122 West Elwood Avenue in Raeford, North Carolina, as the "Bobby Marshall Gentry Post Office Building";

H.R. 4299, to designate the facility of the United States Postal Service located at 410 South Jackson Road in Edinburg, Texas, as the "Dr. Miguel A. Nevarez Post Office Building"; and

The nominations of Albert Casey, of Texas, and James C. Miller III, of Virginia, each to be a Governor of the United States Postal Service, David Safavian, of Michigan, to be Administrator for Federal Procurement Policy, Office of Management and Budget, and Dawn A. Tisdale, of Texas, to be a Commissioner of the Postal Rate Commission.

BUSINESS MEETING

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Property Rights approved for full Committee consideration S.J. Res. 4, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

House of Representatives

Chamber Action

Measures Introduced: 18 public bills, H.R. 4477–4494; and 4 resolutions, H. Con. Res. 439–440, and H. Res. 659–660, were introduced. **Page 11343**

Additional Cosponsors: **Page 11344**

Reports Filed: No reports were filed today.

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Shaw to act as Speaker Pro Tempore for today. **Page 11227**

Chaplain: The prayer was offered today by Rev. David Lauer, Campus Minister, Lakeland College in Sheboygan, Wisconsin. **Page 11227**

Back to Work Incentive Act—Rule for consideration: The House agreed to H. Res. 656, amended, the rule providing for consideration of H.R. 444, to amend the Workforce Investment Act of 1998 to establish a Personal Reemployment Accounts grant program to assist Americans in returning to work, by a recorded vote of 220 ayes to 196 noes, Roll No. 217, after agreeing to the previous question by a yea-and-nay vote of 214 yeas to 196 nays, Roll No. 215. **Pages 11231, 11246**

Agreed to the Pryce of Ohio amendment that makes a technical correction to the resolution by a recorded vote of 320 ayes to 96 noes, Roll No. 216. **Page 11247**

Constitutional amendment regarding continuity of Congress: The House failed to pass H.J. Res. 83, proposing an amendment to the Constitution of the United States regarding the appointment of individuals to fill vacancies in the House of Representatives, by a ⅔ yea-and-nay vote of 63 yeas to 353 nays, with 2 voting "present", Roll No. 219. **Page 11287**

Rejected the Lofgren motion to recommit the joint resolution back to the Committee on the Judiciary with instructions by a recorded vote of 194 ayes to 221 noes, Roll No. 218. **Page 11302**

Agreed to H. Res. 657, the rule providing for consideration of the resolution by a recorded vote of 211 ayes to 200 noes, with one voting "present", Roll No. 214, after agreeing to the previous question by a yea-and-nay vote of 215 yeas to 195 nays, Roll No. 213. **Page 11237**

Suspensions: The House agreed to suspend the rules and pass to the following measures:

Recognizing the 60th anniversary of the Allied landing at Normandy during World War II: Debated on Tuesday, June 1, S.J. Res. 28, recognizing the 60th anniversary of the Allied landing at Normandy during World War II, by a ⅔ yea-and-nay vote of 419 yeas with none voting "nays," Roll No. 220; **Page 11305**

Reauthorizing title II of the Higher Education Act: H.R. 4409, to reauthorize title II of the Higher Education Act of 1965; **Page 11248**

Amending title VII of the Higher Education Act of 1965: H.R. 4411, to amend title VII of the Higher Education Act of 1965 to ensure graduate opportunities in postsecondary education; **Page 11258**

Providing for the conveyance of real property in Ravenna, Ohio: H.R. 3908, to provide for the conveyance of the real property located at 1081 West Main Street in Ravenna, Ohio; **Page 11263**

Honoring the contributions of women who served on the homefront during World War II: H. Con. Res. 413, honoring the contributions of the women, symbolized by "Rosie the Riveter", who served on the homefront during World War II, by a ⅔ yea-and-nay vote of 417 yeas with none voting "nay", Roll No. 221; **Pages 11264, 11305**

Simple Tax for Seniors Act: H.R. 4109, amended, to allow seniors with Social Security and pension income to file their income tax returns on a new Form 1040SR without regard to the amount of interest or taxable income of the senior, by a ⅔ yea-and-nay vote of 418 yeas with none voting "nay", Roll No. 222; and **Pages 11270, 11306**

Agreed to amend the title so as to read: "to allow seniors to file their Federal income tax on a new Form 1040S." **Page 11307**

Standards Development Organization Advancement Act of 2003: Concur with the Senate amendment to H.R. 1086, to encourage the development and promulgation of voluntary consensus standards by providing relief under the antitrust laws to standards development organizations with respect to conduct engaged in for the purpose of developing voluntary consensus standards—clearing the measure for the President. **Page 11276**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed until Thursday, June 3.

Anabolic Steroid Control Act of 2004: H.R. 3866, amended, to amend the Controlled Substances Act to provide increased penalties for anabolic steroid offenses near sports facilities; and **Page 11282**

Condemning the actions in Tiananmen Square: H. Res. 655, condemning the crackdown on democracy protestors in Tiananmen Square, Beijing, in the People's Republic of China on the 15th anniversary of that tragic massacre. **Page 11307**

Quorum Calls—Votes: Six yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages 11245–48 and 11303–07. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:30 p.m.

Committee Meetings

REVIEW—FEDERAL AGRICULTURAL MORTGAGE CORPORATION

Committee on Agriculture: Held a hearing to review the Federal Agricultural Mortgage Corporation, Testimony was heard from the following officials of the GAO: Davi M. D'Agostino, Director, Financial Markets and Commu-

nity Investment; and Jeanette Franzel, Director, Financial Management and Assurance; Nancy C. Pellett, Chairman and Chief Executive Officer, Farm Credit Administration; Gregory Zerzan, Deputy Assistant Secretary, Financial Institutions Policy, Department of the Treasury; and the following officials of the Federal Agricultural Mortgage Corporation: Frederick L. Dailey, Chairman, and Henry D, Edelman, President and Chief Executive Officer.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session and approved for full Committee action the Department of Defense appropriations for fiscal year 2005.

BALANCING NIH'S PRIORITY SETTING PROCESS

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Scientific Opportunities and Public Needs: Balancing NIH's Priority Setting Process." Testimony was heard from the following officials of the NIH, Department of Health and Human Services: Elias A. Zerhouni, M.D., Director; Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases; Andrew C. von Eschenbach, M.D., Director, National Cancer Institute; and Nora D. Volkow, M.D., Director, National Institute of Drug Abuse.

"ADVANCING THE DTV TRANSITION: AN EXAMINATION OF THE FCC MEDIA BUREAU PROPOSAL"

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "Advancing the DTV Transition: An Examination of the FCC Media Bureau Proposal." Testimony was heard from W. Kenneth Ferree, Chief, Media Bureau, FCC; and public witnesses.

INVESTING FOR THE FUTURE: 529 STATE TUITION SAVINGS PLANS

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "Investing for the Future: 529 State Tuition Savings Plans." Testimony was heard from public witnesses.

RIGGS AND UBS—RISK MANAGEMENT AND REGULATORY FAILURES: LESSONS LEARNED

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled "Risk Management and Regulatory Failures at Riggs Bank and UBS: Lessons Learned." Testimony was heard from Daniel Stepano, Deputy Chief Counsel, Office of the Comptroller of the Currency, Department of the Treasury; and Thomas C. Baxter, Jr., General Counsel, and Executive Vice President, Federal Reserve Bank of New York, Federal Reserve System.

OVERSIGHT—NETWORK VULNERABILITIES

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the census held an oversight hearing entitled "Who Might be Lurking at Your Cyber Front Door? Is Your System Really Secure? Strategies and Technologies to Prevent, Detect and Respond to the Growing Threat of Network Vulnerabilities." Testimony was heard from Karen Evans, Administrator, E-Government and Information Technology, OMB; Robert Dacey, Director, Information Security Issues, GAO; Amit Yoran, Director, National Cyber Security Division, Department of Homeland Security; Dawn Meyerriecks, Chief Technology Officer, Defense Information Systems Agency, Department of Defense; Daniel Mehan, Assistant Administrator, Information Services and Chief Information Officer, FAA, Department of Transportation; and public witnesses.

U.S. POLICY IN AFGHANISTAN

Committee on International Relations: Held a hearing on United States Policy in Afghanistan. Testimony was heard from the following officials of the Department of State: William B. Taylor, Coordinator for Afghanistan; James Kunder, Deputy Assistant Administrator, Bureau for Asian and the Near East, U.S. Agency for International Development; and Charlotte Ponticelli, Senior Coordinator, Office of International Women's Issues; and Marybeth Long, Deputy Assistant Secretary, Counternarcotics, Department of Defense.

U.S. POLICY IN EAST ASIA AND THE PACIFIC

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on U.S. Policy in East Asia and the Pacific. Testimony was heard from James A. Kelly, Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State.

CAREERS FOR THE 21st CENTURY

Committee on Small Business: Held a hearing entitled "Careers for the 21st Century: The Importance of Education and Worker Training for Small Business." Testimony was heard from Emily Stover DeRocco, Assistant Secretary, Employment and Training Administration, Department of Labor; and public witnesses.

FASTER AND SMARTER FOR FIRST RESPONDERS ACT

Committee on Transportation and Infrastructure: Ordered reported, as amended, H.R. 3266, Faster and Smarter Funding for First Responders Act of 2004.

ASSESSING THE INTELLIGENCE COMMUNITY'S ANALYTIC CAPABILITIES

Permanent Select Committee on Intelligence: Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to hold a hearing on Assessing

the Intelligence Community's Analytic Capabilities. Testimony was heard from departmental witnesses.

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Thursday, June 3, 2004

Senate

Chamber Action

Routine Proceedings, pages 11452–11535

Measures Introduced: Ten bills and two resolutions were introduced, as follows: S. 2494–2503, S.J. Res. 38, and S. Con. Res. 114. **Page 11518**

Measures Reported:

S. 1129, to provide for the protection of unaccompanied alien children, with an amendment in the nature of a substitute.

S. 1887, to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices.

S. 2363, to revise and extend the Boys and Girls Clubs of America.

S. Con. Res. 5, expressing the support for the celebration in 2004 of the 150th anniversary of the Grand Excursion of 1854. **Page 11517**

Measures Passed:

School Food Distribution: Senate agreed to S. Con. Res. 114, concerning the importance of the distribution of food in schools to hungry or malnourished children around the world. **Pages 11525, 11533**

Boys and Girls Clubs of America: Senate passed S. 2363, to revise and extend the Boys and Girls Clubs of America. **Page 11534**

Department of Defense Authorization Act: Senate continued consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, taking action on the following amendments purposed thereto: **Pages 11460, 11492**

Adopted:

Crapo Amendment No. 3226 (to Amendment No. 3170), of a perfecting nature. **Page 11460**

Graham (SC) Amendment No. 3170, to provide for the treatment by the Department of Energy of waste material. **Page 11460**

Dole (for Roberts) Amendment No. 3274, to provide for the conveyance of land at the Sunflower Army Ammunition Plant, Kansas. **Page 11500**

Dole (for Levin) Amendment No. 3275, to clarify the protection of military personnel from retaliatory action for communications made through the chain of command. **Page 11500**

Dole (for Talent) Amendment No. 3236, to authorize and improve Operation Hero Miles. **Page 11500**

Dole (for Lieberman) Amendment No. 3276, to require a report on the training provided to members of the Armed Forces to prepare for post-conflict operations. **Page 11500**

Dole (for Lott/Graham (SC)) Amendment No. 3233, to express the sense of the Senate regarding the funding of the Advanced Shipbuilding Enterprise under the National Shipbuilding Research Program of the Navy. **Page 11500**

Dole (for Miller) Amendment No. 3277, to require a study regarding promotion eligibility of retired warrant officers on active duty. **Page 11500**

Dole (for Stevens/Inouye) Amendment No. 3278, to convert appropriations transfer authority in section 123 to authority for transfers of authorizations of appropriations. **Page 11500**

Rejected:

By 48 yeas to 48 nays (Vote No. 107), Cantwell Amendment No. 3261, to ensure adequate funding for, and the continuation of activities related to, the treatment by the Department of Energy of high level radioactive waste. **Page 11460**

Pending:

Kennedy Amendment No. 3263, to prohibit the use of funds for the support of new nuclear weapons development under the Stockpile Services Advanced Concepts Initiative or for the Robust Nuclear Earth Penetrator (RNEP). **Page 11492**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Friday, June 4, 2004. **Page 11535**

Further, a unanimous-consent agreement was reached providing that all first-degree amendments be filed at the desk by 5 p.m., on Monday, June 7, 2004. **Page 11535**

Also, a unanimous-consent agreement was reached providing that when the Senate resumes consideration of the bill on Tuesday, June 8, 2004, that there be 50 minutes under the control of Senator Kennedy, or his designee, and 50 minutes under the control of Senator Warner, or his designee, and the Senate then vote on or in relation to Kennedy Amendment No. 3263 (listed above). **Page 11535**

National Great Black Americans Commemoration Act: Senate concurred in the amendment of the House to S. 1233, to authorize assistance for the National Great Blacks in Wax Museum and Justice Learning Center, clearing the measure for the President. **Page 11533**

Messages from the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report to Congress concerning the extension of waiver authority for the Re-

public of Belarus; which was referred to the Committee on Finance. (PM–81) Page 11514

Transmitting, pursuant to law, a report to Congress concerning the extension of waiver authority for Vietnam; which was referred to the Committee on Finance. (PM–82) Page 11515

Transmitting, pursuant to law, a report to Congress concerning the extension of waiver authority for Turkmenistan; which was referred to the Committee on Finance. (PM–83) Page 11515

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 95 yeas (Vote No. EX. 108), Sandra L. Townes, of New York, to be United States District Judge for the Eastern District of New York. Pages 11487, 11535

By unanimous vote of 95 yeas (Vote No. EX. 109), Kenneth M. Karas, of New York, to be United States District Judge for the Southern District of New York. Pages 11488, 11535

By unanimous vote of 93 yeas (Vote No. EX. 110), Judith C. Herrera, of New Mexico, to be United States District Judge for the District of New Mexico. Pages 11489, 11535

Matthew G. Whitaker, of Iowa, to be United States Attorney for the Southern District of Iowa for the term of four years. Pages 11532, 11535

Constance Berry Newman, of Illinois, to be an Assistant Secretary of State (African Affairs). Pages 11532, 11535

Messages From the House: Page 11515

Measures Referred: Page 11516

Measures Placed on Calendar: Page 11516

Measures Read First Time: Page 11516

Enrolled Bills Presented: Page 11516

Executive Communications: Page 11516

Additional Cosponsors: Page 11518

Statements on Introduced Bills/Resolutions: Page 11520

Additional Statements: Page 11512

Amendments Submitted: Page 11526

Notices of Hearings/Meetings: Page 11531

Authority for Committees to Meet: Page 11532

Privilege of the Floor: Page 11532

Record Votes: Four record votes were taken today. (Total—110) Pages 11487–89, 11492

Adjournment: Senate convened at 9:45 a.m., and adjourned at 6:30 p.m., until 9:30 a.m., on Friday, June 4, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 11535.)

Committee Meetings

BANK SECRECY ACT ENFORCEMENT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine efforts to ensure compliance and enforcement of the Bank Secrecy Act, enacted in 1970, which authorizes the Secretary of the Treasury to issue regulations requiring that financial institutions keep records and file reports on certain financial transactions, focusing on anti-money laundering and issues concerning depository institution regulatory oversight, after receiving testimony from Susan S. Bies, Member, Board of Governors of the Federal Reserve System; John D. Hawke, Jr., Comptroller of the Currency, James E. Gilleran, Director, Office of Thrift Supervision, William J. Fox, Director, Financial Crimes Enforcement Network, all of the Department of the Treasury; Donald E. Powell, Chairman, and Gaston L. Gianni, Jr., Inspector General, both of the Federal Deposit Insurance Corporation; Davi M. D'Agostino, Director, Financial Markets and Community Investment, General Accounting Office; and JoAnn M. Johnson, Chairman, National Credit Union Administration.

TREAD ACT: MOTOR VEHICLE SAFETY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the National Highway Safety Administration's implementation of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act and various motor vehicle safety issues, after receiving testimony from Jeffrey W. Runge, Administrator, National Highway Traffic Safety Administration, Department of Transportation; Oregon State Senator Bruce Starr, Hillsboro; and Robert Strassburger, Alliance of Automobile Manufacturers, Donald B. Shea, Rubber Manufacturers Association, and Joan Claybrook, Public Citizen, former Administrator, National Highway Traffic Safety Administration, all of Washington, D.C.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1129, to provide for the protection of unaccompanied alien children, with an amendment in the nature of a substitute;

S. 1887, to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices;

S. 2363, to revise and extend the Boys and Girls Clubs of America; and

S. Con. Res. 5, expressing support for the celebration in 2004 of the 150th anniversary of the Grand Excursion of 1854.

CHILD CUSTODY PROTECTION ACT

Committee on the Judiciary: Committee concluded a hearing to examine S. 851, to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions, after receiving testimony from Senator Ensign; John C. Harrison, University of Virginia School of Law, Charlottesville; Peter J. Rubin, Georgetown University Law Center, Washington, D.C.; Teresa Stanton Collett, University of St. Thomas School of Law, Minneapolis, Minnesota; Reverend Katherine Hancock Ragsdale, St. David's Episcopal Church, Pepperell, Massachusetts, on behalf of NARAL Pro-Choice America and the Religious Coalition for Reproductive Choice; and Joyce Farley and Crystal Lane, both of Dushore, Pennsylvania.

House of Representatives

Chamber Action

Measures Introduced: 17 public bills, H.R. 4496–4512; and; 6 resolutions, H.J. Res. 97; H. Con. Res. 441–443, and H. Res. 661–662 were introduced. **Page 11449**

Additional Cosponsors: **Page 11450**

Reports Filed: Reports were filed today as follows:

H.R. 4114, to amend the Migratory Bird Treaty Act to exclude non-native migratory bird species from the application of that Act, amended (H. Rept. 108–520);

H.R. 2909, to ensure the continued availability of the Utah Test and Training Range to support the readiness and training needs of the Armed Forces, amended (H. Rept. 108–521);

H.R. 2619, to provide for the expansion of Kilauea Point National Wildlife Refuge, amended (H. Rept. 108–522);

S. 1146, to implement the recommendations of the Garrison Unit Tribal Advisory Committee by providing authorization for the construction of a rural health care facility on the Fort Berthold Indian Reservation, North Dakota (H. Rept. 108–523, Pt. 1); and

H.R. 4175, to increase, effective as of December 1, 2004, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, amended (H. Rept. 108–524). **Page 11449**

Chaplain: The prayer was offered today by Rabbi Joui Hessel, Washington Hebrew Congregation in Washington, DC. **Page 11389**

Journal: The House agreed to the Speaker's approval of the Journal of Wednesday, June 2 by a yea-and-nay vote of 346 yeas to 47 nays with 1 voting "present", Roll No. 223. **Page 11389**

Member Sworn—South Dakota At-Large: Representative-elect Stephanie Herseth presented herself in the well of the House and was administered the Oath of Office by the Speaker. Earlier the Minority Leader asked unanimous consent that the Oath of Office be administered today after the Clerk of the House transmitted the unofficial results of the Special Election held on June 1, 2004 from the Honorable Chris Nelson, Secretary of State, State of South Dakota. **Page 11390**

Back to Work Incentive Act: The House passed H.R. 444, to amend the Workforce Investment Act of 1998 to establish a Personal Reemployment Accounts grant program to assist Americans in returning to work, by a recorded vote of 213 ayes to 203 noes, Roll No. 225. **Page 11393**

Agreed that in lieu of the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill, an amendment in the nature of a substitute consisting of the text of H.R. 4444 be considered as adopted. **Page 11395**

Rejected the Kildee motion to recommit the bill to the Committee on Education and the Workforce with instructions to report the bill back to the House forthwith with amendments, by a yea-and-nay vote of 199 yeas to 216 nays, Roll No. 224. **Page 11406**

Pursuant to H. Res. 656, the texts of H.R. 4409, to reauthorize title II of the Higher Education Act of 1965, and H.R. 4411, to amend title VII of the Higher Education Act of 1965 to ensure graduate opportunities in postsecondary education, were appended to the engrossment of H.R. 444 and the bills H.R. 4409 and H.R. 4411 were laid on the table. **Page 11409**

Also pursuant to H. Res. 656, the title of H.R. 444 was conformed to reflect the addition of the texts of both bills. Conformed so as to read: to amend the Workforce Investment Act of 1998 to establish a Personal Reemployment Accounts grant program to assist Americans in returning to work; to reauthorize title II of the Higher Education Act of 1965; to amend title VII of the Higher Education Act of 1965 to ensure graduate opportunities in postsecondary education.

The House agreed to H. Res. 656, amended, the rule providing for consideration of the bill on Wednesday, June 2.

Suspensions: The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, June 2:

Anabolic Steroid Control Act of 2004: H.R. 3866, amended, to amend the Controlled Substances Act to provide increased penalties for anabolic steroid offenses near sports facilities, by a ⅔ yea-and-nay vote of 408 yeas to 3 nays, Roll No. 226; and **Page 11409**

Condemning the actions in Tiananmen Square: H. Res. 655, condemning the crackdown on democracy protestors in Tiananmen Square, Beijing, in the People's Republic of China on the 15th anniversary of that tragic massacre, by a ⅔ yea-and-nay vote of 400 yeas to 1 nay, Roll No. 228. **Page 11415**

Workforce Reinvestment and Adult Education Act of 2003—Motion to go to Conference: The House disagreed to the Senate amendment to H.R. 1261, to enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability, and agreed to a conference. **Page 11410**

Appointed as conferees: From the Committee on Education and the Workforce, Representatives Boehner, Petri, McKeon, Castle, Isakson, Porter, Kildee, Hinojosa, Tierney, and McCollum. **Page 11410**

Transportation Equity Act: A Legacy for Users—Motion to go to Conference: The House disagreed to the Senate amendment to H.R. 3550, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and agreed to a conference. **Page 11412**

Agreed to the Oberstar motion to instruct conferees on the bill by a yea-and-nay vote of 377 yeas to 30 nays, Roll No. 227. **Page 11414**

Appointed as conferees: From the Committee on Transportation and Infrastructure, for consideration of the House bill (except title IX) and the Senate amendment (except title V), and modifications committed to conference: Representatives Young (AK), Petri, Boehlert, Coble, Duncan, Mica, Hoekstra, Ehlers, Bachus, LaTourette, Gary G. Miller (CA), Rehberg, Beauprez, Oberstar, Rahall, Lipinski, DeFazio, Costello, Norton, Nadler, Menendez, Corrine Brown (FL), Filner and Eddie Bernice Johnson (TX). **Page 11415**

From the Committee on the Budget, for consideration of the secs. 8001–8003 of the House bill, and Title VI of the Senate amendment, and modifications committed to conferences: Representatives Nussle, Shays, and Spratt. **Page 11415**

From the Committee on Education and the Workforce, for consideration of secs. 1602 and 3030 of the House bill, and secs. 1306, 3013, 3032, and 4632 of the Senate amendment, and modifications committed to conference: Representatives Ballenger, Biggert, and George Miller (CA). **Page 11415**

From the Committee on Energy and Commerce, for consideration of provisions in the House bill and Senate amendment relating to Clean Air Act provisions of transportation planning contained in sec. 6001 of the House bill, and secs. 3005, and 3006 of the Senate amendment; secs. 1202, 1824, 1828, and 5203 of the House bill, and secs. 1501, 1511, 1522, 1610–1619, 3016, 3023, 4108, 4151, 4152, 4155–4159, 4162, 4172, 4173, 4424, 4481, 4482, 4484, 4662, 8001, and 8002 of the Senate amendment, and modifications committed to conference: Representatives Barton (TX), Pickering, and Dingell. **Page 11415**

From the Committee on Government Reform, for consideration of sec. 1802 of the Senate amendment, and modifications committed to conference: Representatives Tom Davis (VA), Schrock, and Waxman. **Page 11415**

From the Committee on the Judiciary, for consideration of secs. 1105, 1207, 1602, 1812, 2011, 3023, 4105, 4108, 4201, 4202, 4204, 5209, 5501, 6001, 6002, 7012, 7019–7022, and 7024 of the House bill, and secs. 1512, 1513, 1802, 3006, 3022, 3030, 4104, 4110, 4174, 4226, 4231, 4234, 4265, 4307, 4308, 4315, 4424, 4432, 4440–4442, 4445, 4447, 4462, 4463, 4633, and 4661 of the Senate amendment, and modifications committed to conference: Representatives Sensenbrenner, Smith (TX), and Conyers. **Page 11415**

From the Committee on Resources, for consideration of secs. 1117, 3021, 6002, and 6003 of the House bill, and secs. 1501, 1502, 1505, 1511, 1514, 1601, 1603, 3041, and 4521–4528 of the Senate amendment, and modifications committed to conference: Representatives Pombo, Gibbons, and Kind. **Page 11415**

From the Committee on Rules, for consideration of secs. 8004 and 8005 of the House bill, and modifications committed to conference: Representatives Dreier, Sessions, and Frost. **Page 11415**

From the Committee on Science, for consideration of secs. 2001, 3013, 3015, 3034, 4112, and Title V of the House bill, and Title II, secs. 3014, 3015, 3037, 4102, 4104, 4237, and 4461 of the Senate amendment, and modifications committed to conference: Representatives Gilchrest, Neugebauer, and Gordon. **Page 11415**

From the Committee on Ways and Means, for consideration of Title IX of the House bill, and Title V of the Senate amendment, and modifications committed to conference: Representatives Thomas, McCrery, and Rangel. **Page 11415**

For consideration of the House bill and Senate amendment, and modifications committed to conference: Representative DeLay. **Page 11415**

Committee Resignation: Read a letter from Representative Thompson (CA) wherein he resigned from the Committee on Agriculture, effective June, 3. **Page 11416**

Committee Election: Agreed to H. Res. 661, electing Representative Herseth to the Committee on Agriculture. **Page 11416**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, June 9. **Page 11417**

Temporary Extension of programs under the Small Business Act and the Small Business Investment Act

of 1958: The House agreed to discharge from the Committee on Small Business and pass H.R. 4478, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through July 23, 2004. **Page 11417**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at noon tomorrow, June 4. Later agreed that when the House adjourn tomorrow, June 4, it adjourn to meet at 12:30 p.m. on Tuesday, June 8, for Morning Hour debate. **Page 11418**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Wolf to sign enrolled bills and joint resolutions through June 8. **Page 11443**

Presidential Messages: Read a communication from the President wherein he transmitted the following messages: The continuation of a waiver of subsections (a) and (b) of section 402 of the Trade Act of 1974 to Turkmenistan—referred to the Committee on Ways and Means and ordered printed (108–189); the continuation of a waiver of subsections (a) and (b) of section 402 of the Trade Act of 1974 to Belarus—referred to the Committee on Ways and Means and ordered printed (108–190); and the continuation of a waiver of subsections (a) and (b) of section 402 of the Trade Act of 1974 to Vietnam—referred to the Committee on Ways and Means and ordered printed (108–191). **Page 11418**

Senate Message: Message received from the Senate today appears on page 11391.

Senate Referral: S. 1721 was referred to the Committee on Resources. **Page 11447**

Quorum Calls—Votes: Five yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages 11389, 11408–09, and 11414–15. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:28 p.m.

Committee Meetings

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies held a hearing on FBI Transformation. Testimony was heard from the following officials of the FBI, Department of Justice: Robert S. Mueller, III, Director; Maureen Baginski, Executive Assistant Director, Intelligence; and John Pistole, Executive Assistant Director, Counterterrorism and Counterintelligence; Laurie E. Ekstrand, Director, Homeland Security and Justice Issues, GAO; the following officials of the Congressional Research Service, Library of Congress: Alfred Cumming, Specialist, Intelligence and National Security Foreign Affairs, Defense and Trade Division; and Todd Masse, Specialist, Domestic Intelligence and Counterterrorism, Domestic Social Policy; and a public witness.

DISTRICT OF COLUMBIA APPROPRIATIONS

Committee on Appropriations: Subcommittee on the District of Columbia held a hearing on the District of Columbia Budget. Testimony was heard from the following officials of the District of Columbia: Anthony A. Williams, Mayor; Linda W. Cropp, Chairwoman, Council; and Natwar M. Gandhi, Chief Financial Officer.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security approved for full Committee action the Department of Homeland Security appropriations for fiscal year 2005.

INTERIOR AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior and Related Agencies approved for full Committee action the Department of the Interior and Related Agencies appropriations for fiscal year 2005.

ARMED FORCES—SEXUAL ASSAULT PREVENTION AND RESPONSE

Committee on Armed Services: Held a hearing on sexual assault prevention and response in the armed forces. Testimony was heard from the following officials of the Department of Defense: David S.C. Chu, Under Secretary, Personnel and Readiness; Ellen Embrey, Deputy Assistant, Force Health Protection and Readiness; Reginald J. Brown, Assistant Secretary of the Army, Manpower and Reserve Affairs; Michael Dominguez, Assistant Secretary of the Air Force, Manpower and Reserve Affairs; and William Navas, Assistant Secretary of the Navy, Manpower and Reserve Affairs; the following officials of the Department of Veterans Affairs: Frances Murphy, M.D., Deputy Under Secretary, Health Policy Coordination; Carol O'Brien, Director, Center for Sexual Trauma Services, DVA Medical Center, Bay Pines, Florida; and Lori Katz, Staff Psychologist, Military Sexual Trauma Coordinator, DVA Women's Health Clinic, Long Beach, California; and public witnesses.

FASTER AND SMARTER FUNDING FOR FIRST RESPONDERS ACT; SATELLITE HOME VIEWER EXTENSION AND REAUTHORIZATION ACT

Committee on Energy and Commerce: Ordered reported, as amended, the following: H.R. 3266, Faster and Smarter Funding for First Responders Act of 2003; and the Satellite Home Viewer Extension and Reauthorization Act.

MISCELLANEOUS MEASURES

Committee on Financial Services: Ordered reported the following bills: H.R. 4363, amended, Helping Hands for Homeownership Act of 2004; H.R. 3916, amended, Pres-

idential $1 Coin Act of 2004; H.R. 3755, amended, Zero Downpayment Act of 2004; and H.R. 4471, Home Ownership Opportunities for Native Americans Act of 2004.

The Committee began markup of H.R. 3574, Stock Option Accounting Reform Act.

The Committee recessed subject to call.

MISCELLANEOUS MEASURES; SUPERSIZING OF AMERICA—COMBATING OBESITY AND PROMOTING HEALTHY LIVING

Committee on Government Reform: Ordered reported the following measures: H.R. 3826, amended, Program Assessment and Results Act; H.R. 4222, To designate the facility of the United States Postal Service located at 550 Nebraska Avenue in Kansas City, Kansas, as the "Newell George Post Office Building"; H. Con. Res. 257, Expressing the sense of Congress that the President should posthumously award the Presidential Medal of Freedom to Harry W. Colmery; and H. Res. 653, Honoring former President George Herbert Walker Bush on the occasion of his 80th birthday.

The Committee also held a hearing entitled "The Supersizing of America: The Federal Government's Role in Combating Obesity and Promoting Healthy Living." Testimony was heard from Lester M. Crawford, M.D., Acting Commissioner, FDA, Department of Health and Human Services; Eric Hentges, M.D., Director, Center for Nutrition Policy and Promotion, USDA; Lynn Swann, Chair, President's Council on Physical Fitness and Sports; and public witnesses.

OVERSIGHT—OPERATIONS OF THE U.S. COPYRIGHT OFFICE

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on the Operations of the U.S. Copyright Office. Testimony was heard from Marybeth Peters, Register of Copyrights, Library of Congress.

ACCESS TO RURAL PHYSICIANS IMPROVEMENT ACT

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims, approved for full Committee action H.R. 4453, Access to Rural Physicians Improvement Act of 2004.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans approved for full Committee action the following bills: S. 1814, To transfer federal lands between the Secretary of Agriculture and the Secretary of the Interior; H.R. 3479, Brown Tree Snake Control and Eradication Act of 2003; and H.R. 4027, amended, To authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center.

AIRLINE INDUSTRY—FINANCIAL CONDITION

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on The Financial Condition of the Airline Industry. Testimony was heard from JayEtta Z. Hecker, Director, Physical Infrastructure Team, GAO; Michael Kestenbaum, Executive Director, Air Transportation Stabilization Board; and public witnesses.

COUNTERINTELLIGENCE: IRAN

Permanent Select Committee on Intelligence: Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to hold a hearing on Counterintelligence: Iran. Testimony was heard from departmental witnesses.

BRIEFING—GLOBAL TERRORISM UPDATE

Permanent Select Committee on Intelligence: Subcommittee on Terrorism and Homeland Security met in executive session to receive a briefing on Global Terrorism Update. The Subcommittee was briefed by departmental witnesses.

NATIONAL BIODEFENSE STRATEGY

Select Committee on Homeland Security: Held a hearing entitled "Towards A National Biodefense Strategy." Testimony was heard from Penrose Albright, Assistant Secretary, Science and Technology, Department of Homeland Security; from the following officials of the Department of Health and Human Services: Anthony Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, and William F. Raub, M.D., Principal Deputy Assistant Secretary, Public Health Emergency Preparedness; MG Lester Martinez-Lopez, USA, Commanding General, U.S. Army Medical Research and Materiel Command; and public witnesses.

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Friday, June 4, 2004

Senate

Chamber Action

Routine Proceedings, pages 11544–560

Measures Introduced: Two bills were introduced, as follows: S. 2504–2505. **Page 11556**

Department of Defense Authorization Act: Senate continued consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the

Armed Services, taking action on the following amendments proposed thereto: Page 11545

Adopted:

Sessions (for McCain) Amendment No. 3282, to require a Comptroller General study and report on use of alternative technologies to address groundwater contamination at Department of Defense installations. Page 11554

Levin (for Sarbanes/Mikulski) Amendment No. 3281, to express the sense of the Senate that the Department of the Defense should support the construction of schools in housing privatization agreements that severely impact student populations. Page 11554

Sessions (for Bennett) Modified Amendment No. 3244, to prohibit the storage of mercury from the National Defense Stockpile at certain facilities. Page 11554

Sessions (for Warner) Amendment No. 3283, to authorize a program to commemorate the 60th anniversary of World War II. Page 11554

Pending:

Kennedy Amendment No. 3263, to prohibit the use of funds for the support of new nuclear weapons development under the Stockpile Services Advanced Concepts Initiative or for the Robust Nuclear Earth Penetrator (RNEP). Page 11545

A unanimous-consent agreement was reached providing for further consideration of the bill at 2:30 p.m., on Monday, June 7, 2004. Page 11559

Measures Placed on Calendar: Page 11556

Additional Cosponsors: Page 11556

Statements on Introduced Bills/Resolutions: Page 11556

Additional Statements: Page 11556

Amendments Submitted: Page 11558

Authority for Committees to Meet: Page 11559

Privilege of the Floor: Page 11559

Adjournment: Senate convened at 9:30 a.m., and adjourned at 11:27 a.m., until 1:30 p.m., on Monday, June 7, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 11559.)

Committee Meetings

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of Michael H. Watson, to be United States District Judge for the Southern District of Ohio, after the nominee, who was introduced by Senator DeWine, testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Measures Introduced: 8 public bills, H.R. 4513–4520 were introduced. Page 11543

Additional Cosponsors: Page 11543

Reports Filed: Reports were filed today as follows:

H.R. 3932. A bill to amend Public Law 99–338 to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project, amended (H. Rept. 108–525). Page 11543

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Renzi to act as Speaker Pro Tempore for today. Page 11542

Senate Message: Message received from the Senate today appears on page 11542.

Senate Referrals: S. 2363 was referred to the Committee on the Judiciary; S. Con. Res. 114 was referred to International Relations. Page 11542

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 12 noon and adjourned at 12:03 p.m.

Committee Meetings

No committee meetings were held.

Joint Meetings

EMPLOYMENT SITUATION

Joint Economic Committee: Committee concluded hearings to examine the employment situation for May 2004, focusing on economic growth, business activity in the manufacturing and service industries, the Gross Domestic Product (GDP), job creation and loss, and discouraged workers—those who have stopped seeking work because of discouragement over their job prospects, after receiving testimony from Kathleen P. Utgoff, Commissioner, Bureau of Labor Statistics, Department of Labor.

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Monday, June 7, 2004

Senate

Chamber Action

Routine Proceedings, pages 11593–11703

Measures Introduced: Three bills and four resolutions were introduced, as follows: S. 2506–2508, S.J. Res. 39, S. Res. 370–371, and S. Con. Res. 115. **Page 11607**

Measures Reported:

S. 2507, to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to provide children with increased access to food and nutrition assistance, to simplify program operations and improve program management, to reauthorize child nutrition programs. (S. Rept. No. 108–279)

H.R. 1822, to designate the facility of the United States Postal Service located at 3751 West 6th Street in Los Angeles, California, as the "Dosan Ahn Chang Ho Post Office".

H.R. 2130, To redesignate the facility of the United States Postal Service located at 121 Kinderkamack Road in River Edge, New Jersey, as the "New Bridge Landing Post Office".

H.R. 2438, to designate the facility of the United States Postal Service located at 115 West Pine Street in Hattiesburg, Mississippi, as the "Major Henry A. Commiskey, Sr. Post Office Building".

H.R. 3029, to designate the facility of the United States Postal Service located at 255 North Main Street in Jonesboro, Georgia, as the "S. Truett Cathy Post Office Building".

H.R. 3059, to designate the facility of the United States Postal Service located at 304 West Michigan Street in Stuttgart, Arkansas, as the "Lloyd L. Burke Post Office".

H.R. 3068, to designate the facility of the United States Postal Service located at 2055 Siesta Drive in Sarasota, Florida, as the "Brigadier General (AUS-Ret.) John H. McLain Post Office".

H.R. 3234, to designate the facility of the United States Postal Service located at 14 Chestnut Street in Liberty, New York, as the "Ben R. Gerow Post Office Building".

H.R. 3300, to designate the facility of the United States Postal Service located at 15500 Pearl Road in Strongsville, Ohio, as the "Walter F. Ehrnfelt, Jr. Post Office Building".

H.R. 3353, to designate the facility of the United States Postal Service located at 525 Main Street in Tarboro, North Carolina, as the "George Henry White Post Office Building".

H.R. 3536, to designate the facility of the United States Postal Service located at 210 Main Street in Malden, Illinois, as the "Army Staff Sgt. Lincoln Hollinsaid Malden Post Office".

H.R. 3537, to designate the facility of the United States Postal Service located at 185 State Street in Manhattan, Illinois, as the "Army Pvt. Shawn Pahnke Manhattan Post Office".

H.R. 3538, to designate the facility of the United States Postal Service located at 201 South Chicago Avenue in Saint Anne, Illinois, as the "Marine Capt. Ryan Beaupre Saint Anne Post Office".

H.R. 3690, to designate the facility of the United States Postal Service located at 2 West Main Street in Batavia, New York, as the "Barber Conable Post Office Building".

H.R. 3733, to designate the facility of the United States Postal Service located at 410 Huston Street in Altamont, Kansas, as the "Myron V. George Post Office".

H.R. 3740, to designate the facility of the United States Postal Service located at 223 South Main Street in Roxboro, North Carolina, as the "Oscar Scott Woody Post Office Building".

H.R. 3769, to designate the facility of the United States Postal Service located at 137 East Young High Pike in Knoxville, Tennessee, as the "Ben Atchley Post Office Building".

H.R. 3855, to designate the facility of the United States Postal Service located at 607 Pershing Drive in Laclede, Missouri, as the "General John J. Pershing Post Office".

H.R. 3917, to designate the facility of the United States Postal Service located at 695 Marconi Boulevard in Copiague, New York, as the "Maxine S. Postal United States Post Office".

H.R. 3939, to redesignate the facility of the United States Postal Service located at 14–24 Abbott Road in Fair Lawn, New Jersey, as the "Mary Ann Collura Post Office Building".

H.R. 3942, to redesignate the facility of the United States Postal Service located at 7 Commercial Boulevard in Middletown, Rhode Island, as the "Rhode Island Veterans Post Office Building".

H.R. 4037, to designate the facility of the United States Postal Service located at 475 Kell Farm Drive in Cape Girardeau, Missouri, as the "Richard G. Wilson Processing and Distribution Facility".

H.R. 4176, to designate the facility of the United States Postal Service located at 122 West Elwood Avenue in Raeford, North Carolina, as the "Bobby Marshall Gentry Post Office Building".

H.R. 4299, to designate the facility of the United States Postal Service located at 410 South Jackson Road in Edinburg, Texas, as the "Dr. Miguel A. Nevarez Post Office Building".

S. 1596, to designate the facility of the United States Postal Service located at 255 North Main Street in Jonesboro, Georgia, as the "S. Truett Cathy Post Office Building".

S. 1763, to designate the facility of the United States Postal Service located at 14 Chestnut Street, in Liberty, New York, as the "Ben R. Gerow Post Office Building".

S. 2017, to designate the United States courthouse and post office building located at 93 Atocha Street in Ponce, Puerto Rico, and the "Luis A. Ferre United States Courthouse and Post Office Building".

S. 2104, to designate the facility of the United States Postal Service located at 2 West Main Street in Batavia, New York, as the "Barber Conable Post Office Building".

S. 2153, to designate the facility of the United States Postal Service located at 223 South Main Street in Roxboro, North Carolina, as the "Oscar Scott Woody Post Office Building".

S. 2214, to designate the facility of the United States Postal Service located at 3150 Great Northern Avenue in Missoula, Montana, as the "Mike Mansfield Post Office".

S. 2255, to designate the facility of the United States Postal Service located at 695 Marconi Boulevard in Copiague, New York, as the "Maxine S. Postal United States Post Office Building".

S. 2291, to redesignate the facility of the United States Postal Service located at 14–24 Abbott Road in Fair Lawn, New Jersey, as the "Mary Ann Collura Post Office Building".

S. 2415, to designate the facility of the United States Postal Service located at 4141 Postmark Drive, Anchorage, Alaska, as the "Robert J. Opinsky Post Office Building".

S. 2441, to designate the facility of the United States Postal Service located at 607 Pershing Drive in Laclede, Missouri, as the "General John J. Pershing Post Office".

S. 2442, to designate the facility of the United States Postal Service located at 475 Kell Farm Drive in Cape Girardeau, Missouri, as the "Richard G. Wilson Processing and Distribution Facility". **Page 11607**

Measures Passed:

Authorizing the Use of the Rotunda: Senate agreed to S. Con. Res. 115, authorizing the use of the rotunda of the Capitol for the lying in state of the remains of the late Ronald Wilson Reagan, 40th President of the United States. **Page 11593**

Controlled Substances Act Amendment: Senate passed S. 1887, to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices. **Page 11598**

Relative to the Death of Ronald Wilson Reagan: Senate agreed to S. Res. 371, relative to the death of Ronald Wilson Reagan, the 40th President of the United States. **Page 11701**

Supporting Grand Excursion of 1854 150th Anniversary: Senate agreed to S. Con. Res. 5, expressing support for the celebration in 2004 of the 150th anniversary of the Grand Excursion of 1854. **Page 11702**

Department of Defense Authorization Act—Agreement: The order of Friday, June 4, 2004, to resume consideration, on today, of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, was vitiated. **Page 11593**

A unanimous-consent agreement was reached providing that, notwithstanding the filing deadline for first-degree amendments, the managers be permitted to introduce managers' amendments which have been cleared by the Chairman of the Committee on Armed Services, and the Ranking Member. **Page 11702**

A unanimous-consent agreement was reached providing that the order of Friday, June 4, 2004, regarding the debate and disposition of Kennedy Amendment No. 3263, be delayed until Tuesday, June 15, 2004. **Page 11702**

Executive Communications: **Page 11605**

Additional Cosponsors: **Page 11608**

Statements on Introduced Bills/Resolutions: **Page 11609**

Additional Statements: **Page 11605**

Amendments Submitted: **Page 11610**

Notices of Hearings/Meetings: **Page 11701**

Adjournment: Senate met at 1:31 p.m., and as a further mark of respect to the memory of the late Honorable Ronald Wilson Reagan, 40th President of the United States, in accordance with S. Res. 371, adjourned at 6:03 p.m., until 9:45 a.m., on Tuesday, June 8, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 11702.)

Committee Meetings

No committee meetings were held.

House of Representatives

The House was not in session today. It will meet next at 12:30 p.m., on Tuesday, June 8, 2004.

Committee Meetings

No committee meetings were held.

♦♦♦♦♦♦♦♦♦♦♦♦

Tuesday, June 8, 2004

Senate

Chamber Action

Routine Proceedings, pages 11706–48

Measures Introduced: Four bills and two resolutions were introduced, as follows: S. 2509–2512, S. Res. 372, and S. Con. Res. 116. **Page 11740**

Measures Passed:

Adjournment Resolution: Senate agreed to S. Con. Res. 116, providing for a conditional adjournment or recess of the Senate and the House of Representatives. Page 11746

Honoring Former President Reagan—Agreement: A unanimous-consent agreement was reached providing for the consideration of a resolution relative to the death of former President Reagan, at 11:30 a.m. on Wednesday, June 9, 2004, and the Senate then proceed to a vote on the resolution. Page 11746

Messages From the President: Senate received the following message from the President of the United States:

A communication from the President of the United States officially notifying the Congress of the United States of the death of former President Ronald Reagan; which was ordered to lie on the table. (PM—84) Page 11740

Nominations Received: Senate received the following nominations:

Luis Luna, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency.

Kenneth Francis Hackett, of Maryland, to be a Member of the Board of Directors of the Millennium Challenge Corporation for a term of three years. (New Position)

Christine Todd Whitman, of New Jersey, to be a Member of the Board of Directors of the Millennium Challenge Corporation for a term of three years. (New Position)

Charles Graves Untermeyer, of Texas, to be Ambassador to the State of Qatar.

Douglas L. McElhaney, of Florida, to be Ambassador to Bosnia and Herzegovina.

Aldona Wos, of North Carolina, to be Ambassador to the Republic of Estonia.

William T. Monroe, of Virginia, to be Ambassador to the Kingdom of Bahrain.

1 Army nomination in the rank of general.

4 Navy nominations in the rank of admiral.

Routine lists in the Army, Marine Corps, Navy. Page 11746

Executive Communications: Page 11740

Additional Cosponsors: Page 11741

Statements on Introduced Bills/Resolutions: Page 11742

Additional Statements: Page 11738

Notices of Hearings/Meetings: Page 11745

Authority for Committees To Meet: Page 11745

Privilege of the Floor: Page 11746

Adjournment: Senate met at 9:45 a.m., and as a further mark of respect to the memory of the late Honorable Ronald Wilson Reagan, 40th President of the United States, in accordance with S. Res. 371, adjourned at 6:10 p.m., until 9:30 a.m., on Wednesday, June 9, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 11746.)

Committee Meetings

NOMINATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nomination of Suedeen G. Kelly, of New Mexico, to be a Member of the Federal Energy Regulatory Commission, after the nominee, who was introduced by Senator Bingaman, testified and answered questions in her own behalf.

NATIONAL PARKS/HISTORIC PRESERVATION

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 931, to direct the Secretary of the Interior to undertake a program to reduce the risks from and mitigate the effects of avalanches on visitors to units of the National Park System and on other recreational users of public land, S. 1678, to provide for the establishment of the Uintah Research and Curatorial Center for Dinosaur National Monument in the States of Colorado and Utah, S. 2140, to expand the boundary of the Mount Rainier National Park, S. 2287, to adjust the boundary of the Barataria Preserve Unit of Jean Lafitte National Historical Park and Preserve in the State of Louisiana, and S. 2469, to amend the National Historic Preservation Act to provide appropriation authorization and improve the operations of the Advisory Council on Historic Preservation, after receiving testimony from Senators Stevens and Bennett; Tom L. Thompson, Deputy Chief, National Forest System, Forest Service, Department of Agriculture; Janet Snyder Matthews, Associate Director, Cultural Resources, National Park Service, Department of the Interior; John L. Nau III, Chairman, Advisory Council on Historic Preservation; Karen Krieger, Utah Division of Parks and Recreation, Salt Lake City; and David Hamre, Alaska Railroad Corporation, Anchorage.

MEDICARE DRUG CARD

Committee on Finance: Committee held a hearing to examine the implementation of the Medicare-Approved Drug Discount Card and the Transitional Assistance Program, enacted into law as part of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, focusing on how to deliver savings to participating beneficiaries, including mail order services, price shopping and negotiating power, card monitoring, and prescription drug cost comparisons, receiving testimony from Mark B. McClellan, Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Thomas Snedden, Pennsylvania Department of Aging, Harrisburg; Kris Gross, Iowa Senior Health Insur-

ance Information Program, Des Moines; Robert M. Hayes, Medicare Rights Center, New York, New York; and Mark Merritt, Pharmaceutical Care Management Association, and James B. Firman, National Council on Aging, both of Washington, D.C.

Committee recessed subject to the call.

DIETARY SUPPLEMENT SAFETY ACT

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia concluded a hearing to examine the challenges and successes the U.S. Food and Drug Administration has experienced since the passage of the Dietary Supplement Health and Education Act of 1994, after receiving testimony from Robert E. Brackett, Director, Center for Food Safety and Applied Nutrition, Food and Drug Administration, Department of Health and Human Services; Alice M. Clark, University of Mississippi, University, Mississippi; Ronald M. Davis, Henry Ford Health System Center for Health Promotion and Disease Prevention, Detroit, Michigan, on behalf of the American Medical Association; Charles W.F. Bell, Consumers Union, Bruce Silverglade, Center for Science in the Public Interest, and Annette Dickinson, Council for Responsible Nutrition, all of Washington, D.C.; and Anthony L. Young, Kleinfeld, Kaplan, and Becker, LLP, Silver Spring, Maryland, on behalf of the American Herbal Products Association.

ARTHRITIS EPIDEMIC

Committee on Health, Education, Labor, and Pensions: Subcommittee on Aging concluded a hearing to examine the current and future impact of arthritis, focusing on preventing, controlling and curing arthritis and the opportunities public health has to make a difference in reducing the pain and disability associated with arthritis, including S. 2338, to amend the Public Health Service Act to provide for arthritis research and public health, after receiving testimony from Joe Sniezek, Director, Arthritis Program, Centers for Disease Control and Prevention, and Susana Serrate-Sztein, Chief, Rheumatic Diseases Branch, National Institute of Arthritis and Musculoskeletal and Skin Diseases, National Institutes of Health, both of the Department of Health and Human Services; Deborah Rothman, Shriners Hospital for Children, Springfield, Massachusetts, on behalf of the American College of Rheumatology; John H. Klippel, Arthritis Foundation, Atlanta, Georgia; KaLea Kunkel, Oregon, Missouri, and Virg Jones, Kansas City, Kansas.

NATIVE AMERICAN PROGRAMS ACT AUTHORIZATION

Committee on Indian Affairs: Committee concluded a hearing to examine S. 2436, to reauthorize the Native American Programs Act of 1974, after receiving testimony from Quanah Crossland Stamps, Commissioner, Administration for Native Americans, Department of Health and Human Services; John E. Echohawk, Native American Rights Fund, Boulder, Colorado; and Leonard J. Smith, Jr., A&S Tribal Industries, Poplar, Montana.

DOJ TERRORISM OVERSIGHT

Committee on the Judiciary: Committee concluded an oversight hearing to examine activities of the Department of Justice, relating to the department's strategic plan and its ongoing implementation to prevent terrorism, after receiving testimony from John Ashcroft, Attorney General, Department of Justice.

RELIGIOUS FREEDOM

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Property Rights concluded a hearing to examine the place of religion in civil society, and the protections the U.S. Constitution guarantees to religious expression in the public square, after receiving testimony from Senators Shelby and Landrieu, and Representative Edwards; William "Barney" Clark, Balch Springs Senior Center, Balch Springs, Texas; J. Brent Walker, Baptist Joint Committee on Public Affairs, and Vincent Phillip Muñoz, American Enterprise Institute, both of Washington, D.C.; Roy S. Moore, former Chief Justice, Supreme Court of Alabama, Birmingham; Kelly Shackelford, Liberty Legal Institute, Plano, Texas; Richard W. Garnett, Notre Dame Law School, South Bend, Indiana; Melissa Rogers, Wake Forest University Divinity School, Winston-Salem, North Carolina; Nashala Hearn, Muskogee, Oklahoma, and Steven Rosenauer, Bradenton, Florida.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 7 public bills, H.R. 4521–4527; and 6 resolutions, H. Con. Res. 444–445, and H. Res. 663–666, were introduced. **Page 11783**

Additional Cosponsors: **Page 11784**

Reports Filed: Reports were filed today as follows:

H.R. 4226, to amend title 49, United States Code, to make certain conforming changes to provisions governing the registration of aircraft and the recordation of instruments in order to implement the Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment,

known as the "Cape Town Treaty", amended (H. Rept. 108–526);

H.R. 4012, to amend the District of Columbia College Access Act of 1999 to permanently authorize the public school and private school tuition assistance programs established under the act (H. Rept. 108–527);

H.R. 1731, to amend title 18, United States Code, to establish penalties for aggravated identity theft, and for other purposes, as amended (H. Rept. 108–528);

H.R. 530, for the relief of Tanya Andrea Goudeau (Private Bill H. Rept. 108–529);

H.R. 712, for the relief of Richi James Lesley (Private Bill H. Rept. 108–530);

H.R. 867, for the relief of Durreshahwar Durreshahwar, Nida Hasan, Asna Hasan, Anum Hasan, and Iqra Hasan (Private Bill H. Rept. 108–531); and

S. 103, for the relief of Lindita Idrizi Heath (Private Bill H. Rept. 108–532). **Page 11783**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative John Boozman to act as Speaker pro tempore for today. **Page 11749**

Recess: The House recessed at 12:41 p.m. and reconvened at 2 p.m. **Page 11750**

Chaplain: The prayer was offered today by Rev. John Boyles, National Capitol Presbytery, Washington, DC. **Page 11750**

Recess: The House recessed at 2:10 p.m. and reconvened at 6:03 p.m. **Page 11751**

Journal: The House agreed to the Speaker's approval of the Journal of Friday, June 4, by a recorded vote 318 ayes to 29 noes with one voting "present", Roll No. 230; **Pages 11750, 11754**

Expressing the Profound Regret and Sorrow of the House of Representatives on the Death of Ronald Wilson Reagan, the Fortieth President of the United States of America: The House agreed to H. Res. 663, expressing the profound regret and sorrow of the House of Representatives on the death of Ronald Wilson Reagan, former President of the United States of America by a yea-and-nay vote of 355 yeas to 0 nays, Roll No. 229. **Page 11752**

Mourning the Passing of President Ronald Reagan and Celebrating His Service to the United States and His Leadership in Promoting the Cause of Freedom for all the People of the World: The House considered H. Res. 664; mourning the passing of President Ronald Reagan and celebrating his service to the people of the United States and his leadership in promoting the cause of freedom for all the people of the world. Further proceedings were postponed. **Page 11755**

Mourning the Passing of President Ronald Reagan and Celebrating His Service to the United States and His Leadership in Promoting the Cause of Freedom for all the People of the World: The House agreed that it shall be in order at any time to consider H. Res. 664, mourning the passing of President Ronald Reagan and celebrating his service to the people of the United States and his leadership in promoting the cause of freedom for all the people of the world; the resolution shall be considered as read for amendment; the previous question shall be considered as ordered to final adoption without intervening motion except (1) two hours of debate on the legislative day of June 8, 2004; (2) one motion to adjourn offered by the Majority Leader or his designee on the legislative day of June 8, 2004; and (3) three hours of debate on the legislative day of June 9, 2004; in addition, on each demand of the Majority Leader or his designee, it shall be in order on the legislative day of June 8, 2004 for an additional hour of debate; and notwithstanding the operation of the previous question, the Chair at any time may postpone further consideration of the resolution until a time designated by the Speaker. **Page 11756**

Meeting Hour: Agreed that when the House adjourns on Monday, June 14, 2004, it adjourn to meet at 8:30 a.m. on Tuesday, June 15, 2004. **Page 11755**

Recess Authority: Agreed that it may be in order at any time on Tuesday, June 15, 2004, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting his Excellency Hamid Karzai, President of the Government of the Transitional Islamic State of Afghanistan. **Page 11755**

Private Calendar: Agreed to dispense with the call of the Private Calendar on Tuesday, June 15, 2004. **Page 11755**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business on Wednesday, June 16. **Page 11756**

Presidential Message: Read a letter from the President wherein he notified congress of the death of President Ronald Wilson Reagan. **Page 11751**

Senate Message: Message received from the Senate today appears on page 11750.

Senate Referrals: S. 1887 was referred to the Committees on Energy and Commerce, and the Judiciary; S. Con. Res. 5 and S. Con. Res. 115 were held at the desk. **Page 11781**

Quorum Calls—Votes: One yea-and-nay vote and one recorded vote developed during the proceedings of today and appear on pages 11754–55. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:29 p.m.

Committee Meetings

No committee meetings were held.

Wednesday, June 9, 2004

Senate

Chamber Action

Routine Proceedings, pages 11855–11901

Measures Introduced: Three bills and five resolutions were introduced, as follows: S. 2513–2515, S. Res. 373–375, and S. Con. Res. 117–118. **Page 11890**

Measures Passed:

Ronald Wilson Reagan Commemorative: By a unanimous vote of 98 yeas (Vote No. 111), Senate agreed to S. Res. 373, relative to the death of Ronald Wilson Reagan, a former President of the United States. **Page 11868**

Honoring President Reagan: Pursuant to the unanimous-consent agreement of June 9, 2004, Senate agreed to S. Res. 374, honoring President Ronald Wilson Reagan. **Page 11869**

Smithsonian Institution Board of Regents Appointment: Committee on Rules and Administration was discharged from further consideration of S.J. Res. 38, providing for the appointment of Eli Broad as a citizen regent of the Board of Regents of the Smithsonian Institution, and the resolution was then agreed to. **Page 11897**

Italy Property Claims Resolution: Committee on Foreign Relations was discharged from further consideration of S. Res. 341, to urge the resolution of claims related to the confiscation of certain property by the Government of Italy, and the resolution was then agreed to. **Page 11898**

Luis A. Ferre U.S. Courthouse and Post Office Building: Senate passed S. 2017, to designate the United States courthouse and post office building located at 93 Atocha Street in Ponce, Puerto Rico, as the "Luis A. Ferre United States Courthouse and Post Office Building". **Page 11898**

Mike Mansfield Post Office: Senate passed S. 2214, to designate the facility of the United States Postal Service located at 3150 Great Northern Avenue in Missoula, Montana, as the "Mike Mansfield Post Office". **Page 11898**

Robert J. Opinsky Post Office Building: Senate passed S. 2415, to designate the facility of the United States Postal Service located at 4141 Postmark Drive, Anchorage, Alaska, as the "Robert J. Opinsky Post Office Building". **Page 11898**

Dosan Ahn Chang Ho Post Office: Senate passed H.R. 1822, to designate the facility of the United States Postal Service located at 3751 West 6th Street in Los Angeles, California, as the "Dosan Ahn Chang Ho Post Office", clearing the measure for the President. **Page 11899**

New Bridge Landing Post Office: Senate passed H.R. 2130, To redesignate the facility of the United States Postal Service located at 121 Kinderkamack Road in River Edge, New Jersey, as the "New Bridge Landing Post Office", clearing the measure for the President. **Page 11899**

Major Henry A. Commiskey, Sr. Post Office Building: Senate passed H.R. 2438, to designate the facility of the United States Postal Service located at 115 West Pine Street in Hattiesburg, Mississippi, as the "Major Henry A. Commiskey, Sr. Post Office Building", clearing the measure for the President. **Page 11899**

S. Truett Cathy Post Office Building: Senate passed H.R. 3029, to designate the facility of the United States Postal Service located at 255 North Main Street in Jonesboro, Georgia, as the "S. Truett Cathy Post Office Building", clearing the measure for the President. **Page 11899**

Lloyd L. Burke Post Office: Senate passed H.R. 3059, to designate the facility of the United States Postal Service located at 304 West Michigan Street in Stuttgart, Arkansas, as the "Lloyd L. Burke Post Office", clearing the measure for the President. **Page 11899**

Brigadier General (AUS-Ret.) John H. McLain Post Office: Senate passed H.R. 3068, to designate the facility of the United States Postal Service located at 2055 Siesta Drive in Sarasota, Florida, as the "Brigadier General (AUS-Ret.) John H. McLain Post Office", clearing the measure for the President. **Page 11899**

Ben R. Gerow Post Office Building: Senate passed H.R. 3234, to designate the facility of the United States Postal Service located at 14 Chestnut Street in Liberty, New York, as the "Ben R. Gerow Post Office Building", clearing the measure for the President. **Page 11899**

Walter F. Ehrnfelt, Jr. Post Office Building: Senate passed H.R. 3300, to designate the facility of the United States Postal Service located at 15500 Pearl Road in Strongsville, Ohio, as the "Walter F. Ehrnfelt, Jr. Post Office Building", clearing the measure for the President. **Page 11899**

George Henry White Post Office Building: Senate passed H.R. 3353, to designate the facility of the United States Postal Service located at 525 Main Street in Tarboro, North Carolina, as the "George Henry White Post Office Building", clearing the measure for the President. **Page 11899**

Army Staff Sgt. Lincoln Hollinsaid Malden Post Office: Senate passed H.R. 3536, to designate the facility of the United States Postal Service located at 210 Main Street in Malden, Illinois, as the "Army Staff Sgt. Lincoln

Hollinsaid Malden Post Office", clearing the measure for the President. Page 11899

Army Pvt. Shawn Pahnke Manhattan Post Office: Senate passed H.R. 3537, to designate the facility of the United States Postal Service located at 185 State Street in Manhattan, Illinois, as the "Army Pvt. Shawn Pahnke Manhattan Post Office", clearing the measure for the President. Page 11899

Marine Capt. Ryan Beaupre Saint Anne Post Office: Senate passed H.R. 3538, to designate the facility of the United States Postal Service located at 201 South Chicago Avenue in Saint Anne, Illinois, as the "Marine Capt. Ryan Beaupre Saint Anne Post Office", clearing the measure for the President. Page 11899

Barber Conable Post Office Building: Senate passed H.R. 3690, to designate the facility of the United States Postal Service located at 2 West Main Street in Batavia, New York, as the "Barber Conable Post Office Building", clearing the measure for the President. Page 11899

Myron V. George Post Office: Senate passed H.R. 3733, to designate the facility of the United States Postal Service located at 410 Huston Street in Altamont, Kansas, as the "Myron V. George Post Office", clearing the measure for the President. Page 11899

Oscar Scott Woody Post Office: Senate passed H.R. 3740, to designate the facility of the United States Postal Service located at 223 South Main Street in Roxboro, North Carolina, as the "Oscar Scott Woody Post Office Building", clearing the measure for the President. Page 11899

Ben Atchley Post Office Building: Senate passed H.R. 3769, to designate the facility of the United States Postal Service located at 137 East Young High Pike in Knoxville, Tennessee, as the "Ben Atchley Post Office Building", clearing the measure for the President. Page 11899

General John J. Pershing Post Office: Senate passed H.R. 3855, to designate the facility of the United States Postal Service located at 607 Pershing Drive in Laclede, Missouri, as the "General John J. Pershing Post Office", clearing the measure for the President. Page 11899

Maxine S. Postal United States Post Office: Senate passed H.R. 3917, to designate the facility of the United States Postal Service located at 695 Marconi Boulevard in Copiague, New York, as the "Maxine S. Postal United States Post Office", clearing the measure for the President. Page 11899

Mary Ann Collura Post Office Building: Senate passed H.R. 3939, to redesignate the facility of the United States Postal Service located at 14–24 Abbott Road in Fair Lawn, New Jersey, as the "Mary Ann Collura Post Office Building", clearing the measure for the President. Page 11899

Rhode Island Veterans Post Office Building: Senate passed H.R. 3942, to redesignate the facility of the United States Postal Service located at 7 Commercial Boulevard in Middletown, Rhode Island, as the "Rhode Island Veterans Post Office Building", clearing the measure for the President. Page 11900

Richard G. Wilson Processing and Distribution Facility: Senate passed H.R. 4037, to designate the facility of the United States Postal Service located at 475 Kell Farm Drive in Cape Girardeau, Missouri, as the "Richard G. Wilson Processing and Distribution Facility", clearing the measure for the President. Page 11900

Bobby Marshall Gentry Post Office Building: Senate passed H.R. 4176, to designate the facility of the United States Postal Service located at 122 West Elwood Avenue in Raeford, North Carolina, as the "Bobby Marshall Gentry Post Office Building", clearing the measure for the President. Page 11900

Dr. Miguel A. Nevarez Post Office Building: Senate passed H.R. 4299, to designate the facility of the United States Postal Service located at 410 South Jackson Road in Edinburg, Texas, as the "Dr. Miguel A. Nevarez Post Office Building", clearing the measure for the President. Page 11900

Department of Defense Authorization Act—Agreement: A unanimous-consent agreement was reached providing that the Senate resume consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, at approximately 2 p.m., on Monday, June 14, 2004. Page 11901

Messages From the House: Page 11888

Enrolled Bills Signed: Page 11888

Executive Communications: Page 11888

Additional Cosponsors: Page 11890

Statements on Introduced Bills/Resolutions: Page 11891

Additional Statements: Page 11886

Amendments Submitted: Page 11896

Notices of Hearings/Meetings: Page 11897

Authority for Committees to Meet: Page 11897

Privilege of the Floor: Page 11897

Record Votes: One record vote was taken today. (Total—111) Page 11869

Adjournment: Senate met at 9:30 a.m., and as a further mark of respect to the memory of the late Honorable Ronald Wilson Reagan, 40th President of the United States, in accordance with S. Res. 371, adjourned at 3:15 p.m., until 1 p.m., on Monday, June 14, 2004. (For Sen-

ate's program, see the remarks of the Majority Leader in today's Record on page 11901.)

Committee Meetings

DIGITAL TELEVISION TRANSITION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the completion process of the digital television transition, focusing its impact on consumers and the constitutional and statutory compliance requirements, after receiving testimony from Representative Harman; W. Kenneth Ferree, Chief, Media Bureau, Federal Communications Commission; Patrick P. Gelsinger, Intel Corporation, Santa Clara, California; Thomas W. Hazlett, Center for a Digital Economy, New York, New York; and John M. Lawson, Association of Public Television Stations, and Michael Calabrese, New America Foundation, both of Washington, D.C.

INTELLECTUAL PROPERTY PIRACY

Committee on Foreign Relations: Committee concluded a hearing to examine the scope of intellectual property piracy, focusing on the economic worth of copyright industries, piracy protection issues regarding China, Russia, Brazil, and Pakistan, counterfeiting, internet piracy, and activating United States law enforcement agencies against overseas piracy, after receiving testimony from Jack Valenti, Motion Picture Association of America, Mitch Bainwol, Recording Industry Association of America, Robert W. Holleyman II, Business Software Alliance, and Douglas Lowenstein, Entertainment Software Association, all of Washington, D.C.

DOD UNUSED AIRLINE TICKETS

Committee on Governmental Affairs: Committee concluded a hearing to examine the amount the Department of Defense spends on unused airline tickets, focusing on whether DOD paid for airline tickets that it did not use and did not process for refund, improperly reimbursed travelers for the cost of airline tickets paid for with centrally billed accounts, and adequately secured access to centrally billed accounts against improper and fraudulent use, after receiving testimony from Senator Grassley and Representative Schakowsky; Gregory D. Kutz, Director, Financial Management and Assurance, and John J. Ryan, Assistant Director, Office of Special Investigations, both of the General Accounting Office; and JoAnn R. Boutelle, Deputy Chief Financial Officer, and Jerry Hinton, Director of Finance, Defense Finance and Accounting Service, both of the Department of Defense.

HOMELAND SECURITY TERRORISM OVERSIGHT

Committee on the Judiciary: Committee concluded a hearing to examine the efforts and progress of the Department of Homeland Security in combating global terrorism, after receiving testimony from Tom Ridge, Secretary of Homeland Security.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 17 public bills, H.R. 4528–4544; 6 resolutions, H. Con. Res. 446–448, and H. Res. 667–669, were introduced. **Page 11852**

Additional Cosponsors: **Page 11853**

Reports Filed: Reports were filed today as follows:

H.R. 4259, to amend title 31, United States Code, to improve the financial accountability requirements applicable to the Department of Homeland Security, to establish requirements for the Future Years Homeland Security Program of the Department, and for other purposes (H. Rept. 108–533, Pt. 1);

H.R. 4248, to amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to make grants to expand or modify existing comprehensive service programs for homeless veterans, and for other purposes, amended (H. Rept. 108–534);

H.R. 4115, to amend the Act of November 2, 1966 (80 Stat. 1112), to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation (H. Rept. 108–535);

H.R. 3754, to provide additional civil and criminal remedies for domain name fraud, amended (H. Rept. 108–536);

H.R. 4158, to provide for the conveyance to the government of Mexico of a decommissioned National Oceanic and Atmospheric Administration ship, and for other purposes (H. Rept. 108–537); and

H.R. 4231, to provide for a pilot program in the Department of Veterans Affairs to improve recruitment and retention of nurses, and for other purposes, amended (H. Rept. 108–538). **Page 11852**

Journal: The House agreed to the Speaker's approval of the Journal of Tuesday, June 8, by voice vote. **Page 11802**

Providing for the lying in state of the late Honorable Ronald Wilson Reagan: The House agreed to H. Con. Res. 444, authorizing the use of the rotunda of the Capitol for the lying in state of the remains of the late Honorable Ronald Wilson Reagan, the 40th President of the United States; **Page 11805**

Providing for the lying in state of the late Ronald Wilson Reagan: Agreed to take from the Speaker's table and agree to S. Con. Res. 115, authorizing the use of the rotunda of the Capitol for the lying in state of the remains of the late Ronald Wilson Reagan, 40th President of the United States, H. Con. Res. 444 was then laid on the table; **Page 11808**

Honoring the Late Honorable Ronald Wilson Reagan: The House agreed to H. Res. 664, mourning the passing of President Ronald Reagan and celebrating his service to the people of the United States and his leadership in promoting the cause of freedom for all the people of the world by a yea-and-nay vote of 375 yeas to 0 nays Roll No. 231. **Page 11808**

Adjournment Resolution: The House agreed to S. Con. Res. 116, providing for a conditional adjournment or recess of the Senate and the House of Representatives; **Page 11850**

Senate Message: Message received from the Senate today appears on page 11802.

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of today and appear on page 11849. There were no quorum calls.

Adjournment: The House met at 10 a.m. and as a further mark of respect to the memory of the late Honorable Ronald Wilson Reagan, 40th President of the United States, and pursuant to S. Con. Res. 116, the House adjourned at 3:06 p.m. until 12:30 p.m. on Monday, June 14, 2004, for Morning-Hour Debate.

Committee Meetings

HOMELAND SECURITY AND INTERIOR AND RELATED AGENCIES APPROPRIATIONS FISCAL YEAR 2005; BUDGET ALLOCATIONS

Committee on Appropriations: Ordered reported the following appropriations for fiscal year 2005: Homeland Security; and Interior and Related Agencies.

The Committee also approved a Report on Suballocations of Budget Allocations for fiscal year 2005.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development approved for full Committee action the Energy and Water Development appropriations for fiscal year 2005.

OVERSIGHT—MARINE TRANSPORTATION SECURITY ACT IMPLEMENTATION; PORT SECURITY IMPROVEMENTS ACT; U.S. SEAPORT MULTIYEAR SECURITY ENHANCEMENT ACT

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing on Implementation of the Maritime Transportation Security Act, and on the following bills: H.R. 2193, Port Security Improvements Act of 2003; and H.R. 3712, United States Seaport Multiyear Security Enhancement Act. Testimony was heard from RADM Larry Hereth, USCG, Director, Port Security, U.S. Coast Guard, Department of Homeland Security; Noel Cunningham, Director, Operations, Port of Los Angeles, California; and Michael Mitre, Coast Port Security Director, International Longshore and Warehouse Union.

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Monday, June 14, 2004

Senate

Chamber Action

Routine Proceedings, pages 11914–78

Measures Introduced: Two bills and four resolutions were introduced, as follows: S. 2516–2517, and S. Res. 376–379. **Page 11964**

Measures Passed:

Congratulating Syracuse University Orangemen's Lacrosse Team: Senate agreed to S. Res. 376, congratulating the Syracuse University Orangemen's lacrosse team on winning the 2004 NCAA Division I men's lacrosse National Championship. **Page 11973**

Congratulating Le Moyne College Dolphins Men's Lacrosse Team: Senate agreed to S. Res. 377, congratulating the Le Moyne College Dolphins men's lacrosse team on winning the 2004 NCAA Division II men's lacrosse National Championship. **Page 11973**

National Pledge of Allegiance to the Flag Day: Senate agreed to S. Res. 378, designating June 14, 2004, as "National Pledge of Allegiance to the Flag Day". **Page 11974**

Smithsonian Astrophysical Observatory Authorization: Committee on Rules and Administration was discharged from further consideration of S. 2362, to authorize construction of a Smithsonian Astrophysical Observatory instrumentation support control building and associated site development on Kitt Peak, Arizona, and the bill was then passed. **Page 11976**

Department of Defense Authorization Act: Senate resumed consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, taking action on the following amendments proposed thereto: **Page 11922**

Adopted:

Wyden/Dorgan Amendment No. 3305, to impose a limitation on Department of Defense contracting for performance of acquisition functions closely associated with inherently governmental functions. **Page 11930**

Reid (for Levin) Modified Amendment No. 3449 (to Amendment No. 3322), to express the sense of Congress on the nonproliferation of ballistic missiles.

Pages 11924, 11934

Allard Amendment No. 3322, to promote international cooperation on missile defense.

Pages 11922, 11934

By a unanimous vote of 91 yeas (Vote No. 112), Dodd Modified Amendment No. 3312, to require the Secretary of Defense to provide reimbursement for certain protective, safety, or health equipment purchased by or on behalf of members of the Armed Forces for deployment in connection with Operation Noble Eagle, Operation Enduring Freedom, or Operation Iraqi Freedom.

Pages 11926, 11943

Levin (for Byrd) Amendment No. 3344, to require the Commission on the Future of the National Technology and Industrial Base to consider shortages of critical technologies and to make recommendations regarding shortages; and to ensure adequate consideration of small business interests by the Commission. **Page 11944**

Warner (for McConnell/Graham (SC)) Amendment No. 3435, to provide for a conveyance of land at the Naval Weapons Station, Charleston, South Carolina. **Page 11944**

Levin (for Landrieu) Amendment No. 3314, to authorize the conveyance of land at Louisiana Army Ammunition Plant, Doyline, Louisiana. **Page 11945**

Warner (for McCain) Amendment No. 3229, to exclude service academy permanent and career professors from a limitation on strengths applicable to active duty officers in grades of major, lieutenant colonel, and colonel and Navy grades of lieutenant commander, commander, and captain. **Page 11945**

Levin (for Kennedy/Chambliss) Modified Amendment No. 3257, to provide for improved assessment of public-private competition for work performed by civilian employees of the Department of Defense. **Page 11946**

Warner (for Collins/Levin) Amendment No. 3224, to amend title 31, United States Code, to provide Federal Government employees with bid protest rights in actions under Office of Management and Budget Circular A–76. **Page 11947**

Levin/Feinstein Amendment No. 3340, to authorize the settlement of the claim of the Oakland Base Reuse Authority and Redevelopment Agency of the City of Oakland, California. **Page 11947**

Warner Amendment No. 3432, to amend the short title to name the bill in honor of the late Ronald W. Reagan, the 40th President of the United States. **Page 11947**

Warner (for Lott) Amendment No. 3221, to ensure continuity of the search and rescue capabilities of the Federal Government. **Page 11948**

Levin (for Nelson (FL)) Modified Amendment No. 3376, to express the sense of Congress on space launch ranges. **Page 11948**

Warner (for Domenici) Amendment No. 3167, to require a report on the availability of launch sites that permit realistic overland test flights for defenses against short-range ballistic missile systems. **Page 11948**

Levin (for Sarbanes/Warner) Amendment No. 3296, to grant a Federal charter to Korean War Veterans Association, Incorporated. **Page 11948**

Levin (for Harkin) Modified Amendment No. 3316, expressing the sense of the Senate on Armed Forces Radio and Television Service programming. **Page 11949**

Warner (for Gregg) Modified Amendment No. 3164, to express the sense of the Senate on the coordination of the rights under the Uniformed Services Employment and Reemployment Rights Act of 1994 with the Internal Revenue Code of 1986. **Page 11949**

Enzi Amendment No. 3295, to authorize the purchase of aircraft for use in aerial firefighting.

Pages 11940, 11951

Reid Amendment No. 3307, to require that any plan for compensation to individuals in military prisons in Iraq include provisions for compensation to former prisoners of war held by the regime of Saddam Hussein.

Pages 11925, 11951

Pending:

Kennedy Amendment No. 3263, to prohibit the use of funds for the support of new nuclear weapons development under the Stockpile Services Advanced Concepts Initiative or for the Robust Nuclear Earth Penetrator (RNEP). **Page 11922**

Reid (for Leahy) Amendment No. 3292, to amend title 18, United States Code, to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts. **Page 11925**

Dodd Modified Amendment No. 3313, to prohibit the use of contractors for certain Department of Defense activities and to establish limitations on the transfer of custody of prisoners of the Department of Defense.

Pages 11933, 11934

Smith/Kennedy Amendment No. 3183, to provide Federal assistance to States and local jurisdictions to prosecute hate crimes. **Page 11941**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Tuesday, June 15, 2004. **Page 11977**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the text of an amendment to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland

for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes of July 3, 1958; which was referred to the Committee on Foreign Relations. (PM–85)

Page 11962

Appointments:

Canada-U.S. Interparliamentary Group: The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appointed the following Senator as a member of the Senate Delegation to the Canada-U.S. Interparliamentary Group during the Second Session of the 108th Congress: Senator Akaka. Page 11973

Escort Committee—Agreement: A unanimous-consent agreement was reached providing that the Presiding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency Hamid Karzai, President of the Transitional Islamic State of Afghanistan, in to the House Chamber for the joint meeting on Tuesday, June 15, 2004.

Page 11977

Nominations Received: Senate received the following nominations:

Carol D'Amico, of Indiana, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years. (New Position)

John C. Danforth, of Missouri, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations.

John C. Danforth, of Missouri, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations.

1 Air Force nomination in the rank of general.

2 Army nominations in the rank of general.

Routine lists in the Navy. Page 11977

Enrolled Bills Presented: Page 11963

Executive Communications: Page 11963

Additional Cosponsors: Page 11964

Statements on Introduced Bills/Resolutions: Page 11967

Additional Statements: Page 11961

Amendments Submitted: Page 11972

Notices of Hearings/Meetings: Page 11973

Authority for Committees to Meet: Page 11973

Privilege of the Floor: Page 11973

Record Votes: One record vote was taken today. (Total—112) Page 11944

Adjournment: Senate convened at 1:01 p.m., and adjourned at 6:53 p.m., until 10:30 a.m., on Tuesday, June 15, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 11977.)

Committee Meetings

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Thomas Fingar, of Virginia, to be Assistant Secretary of State for Intelligence and Research, Ralph Leo Boyce, Jr., of Virginia, to be Ambassador to Thailand, James R. Kunder, of Virginia, to be an Assistant Administrator of the United States Agency for International Development, and Suzanne Hale, of Virginia, to be Ambassador to Micronesia, after each nominee testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Measures Introduced: 20 public bills, H.R. 4545–4564; 2 private bills, H.R. 4565–4566; and 4 resolutions, H. Res. 670–673, were introduced. Page 12069

Additional Cosponsors: Page 12070

Reports Filed: Reports were filed today as follows:

H.R. 3266, to authorize the Secretary of Homeland Security to make grants to first responders, amendment (H. Rept. 108–460, Pt. 2);

H. Res. 671, providing for consideration of the bill (H.R. 4503) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, and for consideration of the bill (H.R. 4517) to provide incentives to increase refinery capacity in the United States (H. Rept. 108–539); and

H. Res. 672, providing for consideration of the bill (H.R. 4513) to provide that in preparing an environmental assessment or environmental impact statement required under section 102 of the National Environmental Policy Act of 1969 with respect to any action authorizing a renewable energy project, no Federal agency is required to identify alternative project locations or actions other than the proposed action and the no action alternative, and for other purposes, and for consideration of the bill (H.R. 4529) to provide for exploration, development, and production of oil and gas resources on the Arctic Coastal Plain of Alaska, to resolve outstanding issues relating to the Surface Mining Control and Reclamation Act of 1977, to benefit the coal miners of America, and for other purposes (H. Rept. 108–540). Page 12069

Speaker: Read a letter from the Speaker wherein he appointed Representative Thornberry to act as Speaker Pro Tempore for today. **Page 11979**

Recess: The House recessed at 12:42 p.m. and reconvened at 2 p.m. **Page 11980**

Appointment to attend Funeral Services: Pursuant to H. Res. 663, and the order of the House of December 8, 2003, the Speaker appointed himself and the entire membership of the House to attend the funeral services for former President Ronald Wilson Reagan held Wednesday, June 9, 2004, in the Rotunda of the Capitol and Friday, June 11, 2004, at the Washington National Cathedral. **Page 11980**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Adjusting the number of free roaming horses at Cape Lookout National Seashore: H.R. 2055, to amend Public Law 89–366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore; **Page 11981**

Marine Turtle Conservation Act of 2003: H.R. 3378, amended, to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries; **Page 11982**

Replacing certain Coastal Barrier Resources System maps: S. 1663, amended, to replace certain Coastal Barrier Resources System maps; **Page 11984**

Protecting the voting rights of military personnel in elections for the Delegate representing American Samoa in the House of Representatives: H.R. 2010, amended, to protect the voting rights of members of the Armed Services in elections for the Delegate representing American Samoa in the United States House of Representatives; **Page 11985**

AGOA Acceleration Act of 2004: H.R. 4103, amended, to extend and modify the trade benefits under the African Growth and Opportunity Act; **Page 11988**

Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003: H.J. Res. 97, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, by a ⅔ yea-and-nay vote of 372 yeas to 2 nays, Roll No. 232; **Pages 11995, 12030**

Stroke Treatment and Ongoing Prevention Act: H.R. 3658, amended, to amend the Public Health Service Act to strengthen education, prevention, and treatment programs relating to stroke; **Page 11997**

Sense of Congress regarding the need to improve access to information on treatment options for prostate cancer patients: H. Res. 669, expressing the sense of Congress with respect to the need to provide prostate cancer patients with meaningful access to information on treatment options, by a ⅔ yea-and-nay vote of 377 yeas to 3 nays, Roll No. 233; **Pages 12001, 12031**

Providing for the establishment of the headquarters for the Department of Homeland Security in D.C.: H.R. 4322, amended, to provide for the establishment of the headquarters for the Department of Homeland Security in the District of Columbia, to require the transfer of administrative jurisdiction over the Nebraska Avenue Naval Complex in the District of Columbia to serve as the location for the headquarters, to facilitate the acquisition by the Department of the Navy of suitable replacement facilities; **Page 12002**

Agreed to amend the title so as to read: to provide for the transfer of the Nebraska Avenue Naval Complex in the District of Columbia to facilitate the establishment of the headquarters for the Department of Homeland Security, to provide for the acquisition by the Department of the Navy of suitable replacement facilities. **Page 12004**

Amending United States Code to allow the Secretary of Defense to respond to combat emergencies: H.R. 4323, to amend title 10, United States Code, to provide rapid acquisition authority to the Secretary of Defense to respond to combat emergencies, by a ⅔ yea-and-nay vote of 285 yeas to 97 nays, Roll No. 234; **Pages 12004, 12032**

Honoring members of the Army Motor Transport Service that served during WWII: H. Con. Res. 439, amended, honoring the members of the Army Motor Transport Service that served during World War II and participated in the trucking operation known as the Red Ball Express for their service and contribution to the Allied advance following the D–Day invasion; **Page 12006**

Agreed to amend the title so as to read: honoring the members of the Army Motor Transport Brigade who during World War II served in the trucking operation known as the Red Ball Express for their service and contribution to the Allied advance following the D–Day invasion of Normandy, France. **Page 12008**

Congratulating the Tampa Bay Lightning hockey team: H. Res. 668, amended, congratulating the Tampa Bay Lightning for winning the 2004 National Hockey League Stanley Cup championship and for their outstanding performance during the entire 2003–2004 season; **Page 12008**

Honoring former President George Herbert Walker Bush on the occasion of his 80th birthday: H. Res. 653, amended, honoring former President George Herbert Walker Bush on the occasion of his 80th birthday, by a ⅔ yea-and-nay vote of 381 yeas with none voting "nay", Roll No. 235; **Pages 12010, 12032**

Recognizing and honoring the service of those who participate in funeral honor guards for deceased veterans at national cemeteries across the country: H. Con. Res. 260, recognizing and honoring the service of those who volunteer their time to participate in funeral honor

guards at the interment or memorialization of deceased veterans of the uniformed services of the United States at national cemeteries across the country; **Page 12012**

Modifying certain deadlines pertaining to machine-readable, tamper-resistant entry and exit documents: H.R. 4417, to modify certain deadlines pertaining to machine-readable, tamper-resistant entry and exit documents; **Page 12013**

Recognizing that Flag Day originated in Ozaukee County, Wisconsin: H. Res. 662, recognizing that Flag Day originated in Ozaukee County, Wisconsin; **Page 12015**

Congratulating the Brigham Young University men's volleyball team: H. Res. 643, congratulating the Brigham Young University men's volleyball team for winning the 2004 National Collegiate Athletic Association Division I-II men's volleyball championship; **Page 12017**

Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004: H.R. 4278, amended, to amend the Assistive Technology Act of 1998 to support programs of grants to States to address the assistive technology needs of individuals with disabilities; **Page 12018**

Sense of Congress that Katherine Dunham should be recognized for her achievements in performance arts and education and for working for racial equality: H. Con. Res. 62, expressing the sense of Congress that Katherine Dunham should be recognized for her groundbreaking achievements in dance, theater, music, and education, as well as for her work as an activist striving for racial equality throughout the world; **Page 12025**

Sense of Congress that Lionel Hampton should be honored for his contributions to American music: H. Con. Res. 63, expressing the sense of Congress that Lionel Hampton should be honored for his contributions to American music; **Page 12026**

Amending the Indian Self-Determination and Education Assistance Act: H.R. 3504, to amend the Indian Self-Determination and Education Assistance Act to redesignate the American Indian Education Foundation as the National Fund for Excellence in American Indian Education; **Page 12028**

Supporting responsible fatherhood and encouraging involvement of fathers in the lives of their children: H. Res. 66, supporting responsible fatherhood and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day; and **Page 12028**

Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2004: H.R. 4061, amended, to amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries. **Page 12033**

Recess: The House recessed at 5:36 p.m. and reconvened at 6:30 p.m. **Page 12030**

Committee Resignation: Read a letter from Representative McCollum wherein she resigned from the Committee on Resources, effective immediately. **Page 12033**

Committee Election: The House agreed to H. Res. 670, electing Representative Herseth to the Committee on Agriculture and Representative McCollum to the Committee on Government Reform. **Page 12033**

Presidential Message: Read a message from the President wherein he transmitted the text of an amendment to the Agreement Between the Government of the United States and the Government of the United Kingdom and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes of July 3, 1958, as amended—referred to the Committee on International Relations and ordered printed (108–192). **Page 12030**

Senate Message: Message received from the Senate today appears on page 11980.

Senate Referrals: S. 2214 and S. 2415 were referred to the Committee on Government Reform; S.J. Res. 38 was referred to the Committee on House Administration; and S. 2017 was held at the desk. **Page 12067**

Amendments: Amendments ordered printed pursuant to the rule appear on page 12071.

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of today and appear on pages 12030–33. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 12 midnight.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies approved for full Committee action the Agriculture, Rural Development, Food and Drug Administration and Related Agencies appropriations for fiscal year 2005.

RESOLUTION—REQUESTING DOD TRANSMIT TO THE HOUSE RESULTS OF INVESTIGATION CONDUCTED BY MAJOR GENERAL ANTONIO M. TAGUBA

Committee on Armed Services: Ordered adversely reported H. Res. 640, Of inquiry requesting that the Secretary of Defense transmit to the House of Representatives before the expiration of the 14-day period beginning on the date of the adoption of this resolution any picture, photograph, video, communication, or report produced in conjunction with any completed Department of Defense investigation conducted by Major General Antonio M. Taguba relating

to allegations of torture or allegations of violations of the Geneva Conventions of 1949 at Abu Ghraib prison in Iraq or any completed Department of Defense investigation relating to the abuse or alleged abuse of a prisoner of war or detainee by any civilian contractor working in Iraq who is employed on behalf of the Department of Defense.

ENERGY LEGISLATION

Committee on Rules: Granted by voice vote, a closed rule providing for consideration of H.R. 4503, Energy Policy Act of 2004. The rule provides one hour of debate in the House on H.R. 4503, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources, and 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides one motion to recommit H.R. 4503.

Section 2 of the resolution provides for consideration of H.R. 4517, U.S. Refinery Revitalization Act of 2004, under a closed rule. The rule provides one hour of debate in the House on H.R. 4517 equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. Finally, the rule provides one motion to recommit H.R. 4517. Testimony was heard from Chairman Barton and Representatives Gilchrest, Stupak, Olver, Van Hollen and Hastings (FL).

ENERGY LEGISLATION

Committee on Rules: Granted by voice vote, a modified closed rule providing for consideration of H.R. 4513, to provide that in preparing an environmental assessment or environmental impact statement required under section 102 of the National Environmental Policy Act of 1969 with respect to any action authorizing a renewable energy project, no Federal agency is required to identify alternative project locations or actions other than the proposed action and the no action alternative, and for other purposes. The rule provides one hour of debate in the House on H.R. 4513 equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. The rule makes in order the amendment printed in Part A of the Rules Committee report accompanying the resolution, if offered by Representative Pombo of California or his designee, which shall be considered as read and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in part A of the report. The rule provides one motion to recommit H.R. 4513 with or without instructions.

Section 2 of the resolution provides for consideration of H.R. 4529, Arctic Coastal Plain Domestic Energy Security and Abandoned Mine Lands Reclamation Reform Act of 2004, under a modified closed rule. The rule provides one hour of debate in the House on H.R. 4529, with 50 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources and 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule makes in order the amendment in the nature of a substitute printed in Part B of the Rules Committee report accompanying the resolution, if offered by Representative Pombo of California or his designee, which shall be considered as read and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment in the nature of a substitute printed in part B of the report. Finally, the rule provides one motion to recommit H.R. 4259 with or without instructions. Testimony was heard from Chairman Pombo and Representative Kanjorski.

AMERICAN JOBS CREATION ACT

Committee on Ways and Means: Ordered reported H.R. 4520, as amended, American Jobs Creation Act of 2004.

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Tuesday, June 15, 2004

Senate

Chamber Action

Routine Proceedings, pages 12095–12170

Measures Introduced: Five bills were introduced, as follows: S. 2518–2522. **Page 12151**

Measures Reported: S.J. Res. 39, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003. **Page 12151**

Measures Passed:

Flood Insurance Reform Act: Senate passed S. 2238, to amend the National Flood Insurance Act of 1968 to reduce loses to properties for which repetitive flood insurance claim payments have been made, after agreeing to the committee amendments, and the following amendment proposed thereto: **Page 12157**

Warner (for Shelby) Amendment No. 3451, to make technical and conforming amendments. **Page 12164**

National Defense Authorization Act: Senate continued consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Serv-

ices, taking action on the following amendments proposed thereto: Page 12096

Adopted:

By 65 yeas to 33 nays (Vote No. 114), Smith/Kennedy Amendment No. 3183, to provide Federal assistance to States and local jurisdictions to prosecute hate crimes. Pages 12097, 12110, 12122

Talent/Bond Amendment No. 3251, to express the sense of Congress on America's National World War I Museum. Page 12126

Warner (for Collins) Amendment No. 3395, to encourage the Secretary of Defense to achieve maximum cost effective energy savings. Page 12133

Levin (for Bingaman) Modified Amendment No. 3392, to clarify the duties and activities of the Vaccine Healthcare Centers Network. Page 12133

Warner (for Grassley/Feinstein) Modified Amendment No. 3402, to express the sense of Congress that the elimination of the drug trade in Afghanistan should be a national security priority for the United States, and to require a report on related efforts. Page 12133

Levin (for Bingaman) Modified Amendment No. 3346, to reduce barriers for Hispanic-serving institutions in defense contracts, defense research programs, and other minority-related defense programs. Page 12133

Warner (for Graham (SC)) Modified Amendment No. 3326, to clarify the authorities of the Judge Advocates General. Page 12133

Levin (for Hollings) Modified Amendment No. 3349, to modify the authority to convey land at Equipment and Storage Yard, Charleston, South Carolina. Page 12133

Warner (for Inhofe/Chambliss) Modified Amendment No. 3385, to exempt procurements of certain services from the limitation regarding service charges imposed for defense procurements made through contracts of other agencies. Page 12133

Rejected:

By 42 yeas to 55 nays (Vote No. 113), Kennedy Amendment No. 3263, to prohibit the use of funds for the support of new nuclear weapons development under the Stockpile Services Advanced Concepts Initiative or for the Robust Nuclear Earth Penetrator (RNEP). Page 12097

Pending:

Reid (for Leahy) Amendment No. 3292, to amend title 18, United States Code, to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts. Page 12096

Dodd Further Modified Amendment No. 3313, to prohibit the use of contractors for certain Department of Defense activities and to establish limitations on the transfer of custody of prisoners of the Department of Defense. Pages 12097, 12124

Reed Amendment No. 3352, to increase the end strength for active duty personnel of the Army for fiscal year 2005 by 20,000 to 502,400. Page 12127

Warner Amendment No. 3450 (to Amendment No. 3352), to provide for funding the increased number of Army active-duty personnel out of fiscal year 2005 supplemental funding. Page 12127

Durbin Amendment No. 3386, to affirm that the United States may not engage in torture or cruel, inhuman, or degrading treatment or punishment. Page 12131

A unanimous-consent agreement was reached providing for further consideration of the bill on Wednesday, June 16, 2004; that there be 30 minutes of debate equally divided on Dodd Amendment No. 3313 (listed above) and the Senate then proceed to a vote in relation to the amendment, with no amendments in order to the amendment prior to the vote; further, that Senator Warner, or his designee, be recognized to offer the next first degree amendment. Page 12136

During consideration of this measure today, Senate also took the following action:

Warner (for Domenici) Amendment No. 3167, to require a report on the availability of potential overland ballistic missile defense test ranges, previously agreed to on Monday, June 14, 2004, was modified by unanimous consent. Page 12133

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a notification of the President's intent to enter into a free trade agreement with the Government of Bahrain; which was referred to the Committee on Finance. (PM–86) Page 12149

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 98 yeas (Vote No. Ex. 115), Virginia E. Hopkins, of Alabama, to be United States District Judge for the Northern District of Alabama. Pages 12117, 12122, 12170

By unanimous vote of 98 yeas (Vote No. 116), Ricardo S. Martinez, of Washington, to be United States District Judge for the Western District of Washington. Pages 12117, 12123, 12170

By unanimous vote of 98 yeas (Vote No. Ex. 117), Gene E.K. Pratter, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania. Pages 12117, 12124, 12170

Nominations Received: Senate received the following nominations:

1 Air Force nomination in the rank of general.

6 Army nominations in the rank of general.

3 Marine Corps nominations in the rank of general.

8 Navy nominations in the rank of admiral. Page 12169

Messages From the House: Page 12149

Measures Referred: Page 12150

Measures Placed on Calendar: Page 12150

Executive Communications: Page 12150

Additional Cosponsors: Page 12151

Statements on Introduced Bills/Resolutions: Page 12153

Additional Statements: Page 12148

Amendments Submitted: Page 12155

Notices of Hearings/Meetings: Page 12156

Authority for Committees to Meet: Page 12156

Privilege of the Floor: Page 12157

Record Votes: Five record votes were taken today. (Total—117) Pages 12109, 12122–24

Adjournment: Senate convened at 10:30 a.m., and adjourned at 7:05 p.m., until 9 a.m., on Wednesday, June 16, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 12169.)

Committee Meetings

NOMINATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nomination of Alan Greenspan, of New York, to be Chairman of the Board of Governors of the Federal Reserve System, after the nominee testified and answered questions in his own behalf.

PIPELINE SAFETY

Committee on Commerce, Science, and Transportation: Committee concluded an oversight hearing to examine long term prospects for improved safety and reliability of the Nation's pipeline infrastructure, focusing on responses to mandates set forth in the Pipeline Safety Improvement Act of 2002 including specific implementation and results, after receiving testimony from Senator Murray; Samuel G. Bonasso, Deputy Administrator, Research and Special Programs Administration, Stacey Gerard, Associate Administrator, Office of Pipeline Safety, and Kenneth Mead, Inspector General, all of the Department of Transportation; Katherine Siggerud, Director, Physical Infrastructure Issues, General Accounting Office; James L. Connaughton, Council on Environmental Quality, Washington, D.C.; Marc Spitzer, Arizona Corporation Commission, Phoenix; Lois N. Epstein, Cook Inlet Keeper, Anchorage, Alaska; Barry Pearl, TEPPCO Partners, L.P., Houston, Texas, on behalf of the Association Oil Pipe Lines and the American Petroleum Institute; Earl Fischer, Atmos Energy Corporation, Dallas, Texas, on behalf of the American Gas Association and the American Public Gas Association; and Robert T. Howard, Gas Transmission Northwest Corporation, Portland, Oregon, on behalf of the Interstate Natural Gas Association of America.

ENERGY SUPPLY

Committee on Energy and Natural Resources: Committee concluded a hearing to examine crude oil supply, gasoline demands and the effects on prices, focusing on the causes and solution to the current fuel situation, including concerns over ability of petroleum markets to rebalance, boutique diesel fuels, proposed renewable fuel mandate, refinery capacity, after receiving testimony from Guy F. Caruso, Administrator, Energy Information Administration, Department of Energy; Red Cavaney, American Petroleum Institute, and Dave Berry, Swift Transportation Company, on behalf of the American Trucking Associations, both of Washington, D.C.; and John P. Kilduff, Fimat USA Inc., New York, New York.

FREE TRADE

Committee on Finance: Committee concluded a hearing to examine U.S.-Australia and U.S.-Morocco Free Trade Agreements, focusing on economic, social, and political challenges facing the region and U.S. interests in the Middle East, after receiving testimony from Peter F. Allgeier, and Josette Sheeran Shiner, each a Deputy United States Trade Representative; Allen Johnson, Chief Agricultural Negotiator, Office of the U.S. Trade Representative; Harold McGraw III, The McGraw-Hill Companies, New York, New York, on behalf of the Business Roundtable; Jon Kneen, Al-Jon, Inc., Ottumwa, Iowa, on behalf of the National Association of Manufacturers; Lynn Cornwell, Montana Stockgrowers Association, Glasgow; Jeffrey W. Ruffner, MSE Technology Applications, Inc., Butte, Montana; John Schulman, Warner Brothers Entertainment, Burbank, California, on behalf of the Entertainment Industry Coalition for Free Trade; David G. Mengebier, CMS Energy Corporation, Jackson, Michigan, on behalf of the U.S.- Morocco FTA Coalition; Ron Heck, Perry, Iowa, on behalf of the American Soybean Association; and Lochiel Edwards, Montana Grain Growers Association, Big Sandy, on behalf of the Wheat Export Trade Education Committee, the National Association of Wheat Growers, and U.S. Wheat Associates.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported S.J. Res. 39, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

SUDAN

Committee on Foreign Relations: Committee concluded a hearing to examine the current situation in Sudan, focusing on genocide, violence and ethnic cleansing in Darfur, Sudan, humanitarian assistance and development of the infrastructure in southern Sudan, and the potential for famine, after receiving testimony from Charles R. Snyder, Acting Assistant Secretary of State for African Affairs; Roger P. Winter, Assistant Administrator for Democracy, Conflict and Humanitarian Assistance, U.S. Agency for

International Development; John Prendergast, Special Advisor to the President, International Crisis Group; and Julie Flint, Human Rights Watch, London, United Kingdom.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Joseph D. Stafford III, of Florida, to be Ambassador to the Republic of The Gambia, Lewis W. Lucke, of Texas, to be Ambassador to the Kingdom of Swaziland, who was introduced by Senators Hutchison and Cornyn, and R. Niels Marquardt, of California, to be Ambassador to the Republic of Cameroon, and to serve concurrently and without additional compensation as Ambassador to the Republic of Equatorial Guinea, after each nominee testified and answered questions in their own behalf.

TERRORISM FINANCING

Committee on Governmental Affairs: Committee concluded a hearing to examine current efforts to combat terrorism financing, focusing on U.S.-Saudi relations, including the Saudi regime strengthening its efforts to reduce the flow of funds from within Saudi Arabia to terrorists, after receiving testimony from Lee S. Wolosky, Boies, Schiller, and Flexner, LLP, Washington, D.C., and Mallory Factor, Mallory Factor, Inc., New York, New York, both on behalf of the Independent Task Force on Terrorist Financing, Council on Foreign Relations; and David D. Aufhauser, Williams and Connolly, LLP, Washington, D.C., former General Counsel, Department of the Treasury.

ADOLESCENT TREATMENT SERVICES

Committee on Health, Education, Labor, and Pensions: Subcommittee on Substance Abuse, and Mental Health Services concluded a hearing to examine substance abuse prevention and treatment services for adolescents, focusing on the effects of binge drinking, and monthly cigarette, beer, and marijuana usage, and the development of the Juvenile Treatment Network, after receiving testimony from Charles G. Curie, Administrator, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services; Sandra A. Brown, University of California Department of Psychology, San Diego; Roger P. Weissberg, University of Illinois at Chicago; Rhonda Ramsey-Molina, Coalition for a Drug Free Greater Cincinnati, Cincinnati, Ohio; Ronald P. Anton, Day One, Cape Elizabeth, Maine, on behalf of the Maine Association of Substance Abuse Programs, and the State Associations of Addiction Services; and Kris Shipley, Pasadena, Maryland, on behalf of the Therapeutic Communities of America.

TRIBAL PARITY ACT

Committee on Indian Affairs: Committee concluded a hearing to examine S. 1530, to provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River, after receiving testimony from Senator Daschle; Ross Mooney, Acting Deputy Director of Trust Services, Bureau of Indian Affairs, Department of the Interior; Michael J. Jandreau, Lower Brule Sioux Tribe, Lower Brule, South Dakota; Duane Big Eagle, Sr., Crow Creek Sioux Tribe, Fort Thompson, South Dakota; and Michael L. Lawson, Morgan, Angel and Associates, Washington, D.C.

BIOMETRIC PASSPORTS

Committee on the Judiciary: Committee concluded a hearing to examine S. 2324, to extend the deadline on the use of technology standards for the passports of visa waiver participants, focusing on appropriate security checks, freezing the identity of travelers, matching traveler identities and documents, documenting arrivals and departures, and determining overstays, after receiving testimony from Senator Cantwell; Asa Hutchinson, Under Secretary of Homeland Secretary for Border and Transportation Security; and Maura Harty, Assistant Secretary of State for Consular Affairs.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

SOCIAL SECURITY REFORM

Special Committee on Aging: Committee concluded a hearing to examine certain measures to strengthen social security, focusing on what personal retirement accounts do for low-income workers, including reform proposals that could have a variety of effects on the distribution of benefits and payroll taxes, after receiving testimony from David M. Walker, Comptroller General of the United States, General Accounting Office; Jeffrey R. Brown, University of Illinois at Urbana-Champaign College of Business, Champaign; Peter J. Ferrara, Institute for Policy Innovation, and the Club for Growth, Jeff Lemieux, Centrists.Org, and Christian E. Weller, Center for American Progress, all of Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 15 public bills, H.R. 4569–4583; and 3 resolutions, H. Con. Res. 449–450, and H. Res. 676, were introduced. **Page 12383**

Additional Cosponsors: **Page 12384**

Reports Filed: Reports were filed today as follows:

H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005 (H. Rept. 108–541);

H.R. 4568, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2005 (H. Rept. 108–542);

Report on the Suballocation on the Budget Allocations for Fiscal Year 2005 (H. Rept. 108–543);

H. Res. 674, providing for consideration of H.R. 4568, making appropriations for the Department of Interior and related agencies for the fiscal year ending September 30, 2005 (H. Rept. 108–544); and

H. Res. 675, providing for consideration of H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005 (H. Rept. 108–545). **Page 12383**

Speaker: Read a letter from the Speaker wherein he appointed Representative Kirk to act as Speaker pro tempore for today. **Page 12171**

Recess: The House recessed at 8:34 a.m. for the purpose of receiving His Excellency Hamid Karzai and reconvened at 10:30 a.m.; and agreed that the proceedings had during the Joint Meeting be printed in the Record. **Pages 12171, 12173**

Joint Meeting to receive His Excellency Hamid Karzai, President of the Transitional Islamic State of Afghanistan: The House and Senate met in a Joint Meeting to receive His Excellency Hamid Karzai, President of the Transitional Islamic State of Afghanistan. He was escorted into the House Chamber by a Committee comprised of Representatives DeLay, Blunt, Pryce (OH), Cox, Goss, Rohrabacher, Pelosi, Hoyer, Menendez, Harman, Skelton, and Ackerman and Senators Frist, McConnell, Stevens, Santorum, Hutchison, Kyl, Warner, Daschle, Reid, Boxer, and Levin. **Page 12171**

Renewable Energy Project Siting Improvement Act of 2004: The House passed H.R. 4513, to provide that in preparing an environmental assessment or environmental impact statement required under section 102 of the National Environmental Policy Act of 1969 with respect to any action authorizing a renewable energy project, no Federal agency is required to identify alternative project locations or actions other than the proposed action and the no action alternative, by a yea-and-nay vote of 229 yeas to 186 nays, Roll No. 242. **Pages 12188, 12345**

Agreed to the Pombo amendment printed in part A of H. Rept. 108–540, that clarifies that the environmental review processes in the bill do not apply to oil and gas leasing activities. **Page 12197**

H. Res. 672, the rule providing for consideration of the bill was agreed to by a recorded vote of 226 ayes to 193 noes, Roll No. 239, after agreeing to order the previous question by a yea-and-nay vote of 221 yeas to 198 nays, Roll No. 238. **Pages 12174, 12186**

Energy Policy Act of 2004: The House passed H.R. 4503, to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, by a yea-and-nay vote of 244 yeas to 178 nays, Roll No. 241. **Page 12197**

Rejected the Dingell motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment by a yea-and-nay vote of 192 yeas to 230 nays, Roll No. 240. **Page 12338**

H. Res. 671, the rule providing for consideration of the bill was agreed to by a recorded vote of 225 ayes to 193 noes, Roll No. 237, after agreeing to order the previous question by a yea-and-nay vote of 218 yeas to 197 nays, Roll No. 236. **Page 12179**

Suspensions—Proceedings Postponed: The House began consideration of the following measure under suspension of the rules. Further proceedings were postponed until Wednesday, June 16:

Gasoline Price Reduction Act of 2004: H.R. 4545, to amend the Clean Air Act to reduce the proliferation of boutique fuels. **Page 12346**

Presidential Message: Read a message from the President wherein he notified Congress of his intent to enter into a Free Trade Agreement with the Government of Bahrain—referred to the Committee on Ways and Means and ordered printed (H. Doc. 108–193). **Page 12352**

Amendments: Amendments ordered printed pursuant to the rule appear on page 12385.

Quorum Calls—Votes: Five yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages 12185–87 and 12343–45. There were no quorum calls.

Adjournment: The House met at 8:30 a.m. and adjourned at 9:12 p.m.

Committee Meetings

REVIEW FARM SECURITY AND RURAL INVESTMENT ACT IMPLEMENTATION OF CONSERVATION TITLE

Committee on Agriculture: Subcommittee on Conservation, Credit, Rural Development, and Research held a hearing to review Implementation of the Conservation Title of the Farm Security and Rural Investment Act of 2002. Testimony was heard from the following officials of the USDA: James R. Little, Administrator, Farm Service Agency; and Bruce I. Knight, Chief, Natural Resources Conservation Service; and public witnesses.

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies approved for full Committee action the Commerce, Justice, State,

Judiciary and Related Agencies appropriations for fiscal year 2005.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on Navy Budget Request. Testimony was heard from the following officials of the Department of the Navy: ADM Vern Clerk, USN, Chief, Naval Operations; H.T. Johnson, Assistant Secretary, Installations and Environment; and GEN William Nyland, USMC, Assistant Commandant, U.S. Marine Corps.

U.S. TROOP WITHDRAWALS FROM KOREA STRATEGIC IMPLICATIONS

Committee on Armed Services: Held a hearing on the strategic implications of U.S. troop withdrawals from Korea. Testimony was heard from public witnesses.

VOCATIONAL AND TECHNICAL EDUCATION FOR THE FUTURE ACT

Committee on Education and the Workforce: Subcommittee on Education Reform held a hearing on H.R. 4496, Vocational and Technical Education for the Future Act. Testimony was heard from Katherine Oliver, Assistant State Superintendent, Career, Technology and Adult Learning, Department of Education, State of Maryland; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Health approved for full Committee action the following bills: H.R. 2023, amended, Asthmatic Schoolchildren's Treatment and Health Management Act of 2003; H.R. 4555, Mammography Quality Standards Reauthorization Act of 2004; and S. 741, Minor Use and Minor Species Animal Health Act of 2003.

JUNK FAX PREVENTION ACT

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held hearing on the Junk Fax Prevention Act of 2004. Testimony was heard from K. Dane Snowden, Chief, Consumer and Governmental Affairs Bureau, FCC; and public witnesses.

STOCK OPTION ACCOUNTING REFORM ACT

Committee on Financial Services: Ordered reported, as amended, H.R. 3574, Stock Option Accounting Reform Act.

UNPRECEDENTED CHALLENGES: CONTRACTING AND THE REBUILDING OF IRAQ

Committee on Government Reform: Held a hearing entitled "Unprecedented Challenges: Contracting and the Rebuilding of Iraq." Testimony was heard from David M. Walker, Comptroller General, GAO; and the following officials of the Department of Defense: Lawrence Lanzilotta, Principle Deputy and Acting Under Secretary (Comptroller); Deirde Lee, Director, Defense Procurement and Acquisition Policy; Tina Basllard, Deputy Assistant Secretary, Army (Policy and Procurement); William H. Reed, Director, Defense Contract Audit Agency; GEN Paul Kern, USA, Commanding General, U.S. Army Materiel Command; and BG Robert Crear, USA, Commander, Southwestern Division, U.S. Army Corps of Engineers.

IRAQ: WINNING HEARTS AND MINDS

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing on Iraq: Winning Hearts and Minds. Testimony was heard from the following officials from the Department of State: Ambassador Ronald L. Schlicher, Deputy Assistant Secretary, Bureau of Near Eastern Asia/Iraq; and Gordon West, Senior Deputy Assistant Administrator, Bureau for Asia and the Near East, U.S. Agency for International Development; the following officials of the Department of Defense: Peter Rodman, Assistant Secretary, International Security Affairs; LTG Walter L. Sharp, USA, Director, Strategic Plans and Policy, Joint Chiefs of Staff; Rend al-Rahim Francke, Iraqi Representative to the United States; and public witnesses.

UZBEKISTAN: THE KEY TO SUCCESS IN CENTRAL ASIA?

Committee on International Relations: Subcommittee on the Middle East and Central Asia held a hearing on Uzbekistan: The Key to Success in Central Asia?" Testimony was heard from the following officials of the Department of State: Michael Kozak, Principal Deputy Assistant Secretary, Bureau of Democracy, Human Rights and Labor; and B. Lynn Pascoe, Deputy Assistant Secretary, Bureau of European and Eurasian Affairs; Mira Ricardel, Acting Assistant Secretary, International Security Policy, Department of Defense; and public witnesses.

LAW ENFORCEMENT OFFICERS SAFETY ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security approved for full Committee action H.R. 218, Law Enforcement Officers Safety Act of 2003.

Prior to this action, the Subcommittee held a hearing on this legislation. Testimony was heard from Albert C. Eisenberg, Delegate, House of Delegates, State of Virginia; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held a hearing on the following bills: H.R. 1630, Petrified Forest National Park Expansion Act of 2003; H.R. 2129, Taunton, Massachusetts Special Resources Study Act; H.R. 3954, Rancho El Cajon Boundary Reconciliation Act; H.R. 4481, To amend Public Law 86–434 establishing Wilson's Creek National Battlefield in the State of Missouri to expand

the boundaries of the park; and S. 1576, Harpers Ferry National Historical Park Boundary Revision Act of 2003. Testimony was heard from Representatives Renzi, Frank of Massachusetts, Hunter, Blunt and Capito; the following officials of the Department of the Interior: Paul Hoffman, Deputy Assistant Secretary, Fish, Wildlife and Parks; and John Hughes, Deputy Director, Bureau of Land Management; and public witnesses.

INTERIOR APPROPRIATIONS FISCAL YEAR 2005

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of general debate on H.R. 4568, making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending September 30, 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Taylor of North Carolina; Dicks and Norton.

HOMELAND SECURITY APPROPRIATIONS FISCAL YEAR 2005

Committee on Rules: Granted, by a vote of 7 to 4, an open rule providing 1 hour of general debate on H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Rogers, Manzullo, Obey, Sabo, DeLauro and Turner of Texas.

MISCELLANEOUS MEASURES

Committee on Science: Subcommittee on Energy approved for full Committee action the following bills: H.R. 3890, To reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988; and H.R. 4516, Department of Energy High-End Computing Revitalization Act of 2004.

AIR TRAFFIC CONTROLLER WORKFORCE STATUS

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on The Status of the Air Traffic Controller Workforce. Testimony was heard from the following officials of the Department of Transportation: Marion Blakey, Administrator, FAA; and Alexis Stefani, Deputy Assistant Inspector General; JayEtta Z. Hecker, Director, Physical Infrastructure Team, GAO; and public witnesses.

TAX SIMPLIFICATION

Committee on Ways and Means: Subcommittee on Oversight held a hearing on Tax Simplification. Testimony was heard from the following former Commissioners of IRS, Department of the Treasury; Mortimer M. Caplin; Sheldon S. Cohen; Don C. Alexander; and Fred T. Goldberg; and public witnesses.

ENHANCING SOCIAL SECURITY NUMBER PRIVACY

Committee on Ways and Means: Subcommittee on Social Security held a hearing on Enhancing Social Security Number Privacy. Testimony was heard from J. Howard Beales III, Director, Bureau of Consumer Protection, FTC; Patrick P. O'Carroll, Acting Inspector General, SSA; Barbara Bovbjerg, Director, Education, Workforce, and Income Security, GAO; Lawrence E. Maxwell, Assistant Chief Inspector, Investigations and Security, United States Postal Inspection Service, United States Postal Service; and public witnesses.

BORDER SECURITY

Select Committee on Homeland Security: Subcommittee on Infrastructure and Border Security held a hearing entitled "Protecting the Homeland: Building a Layered and Coordinated Approach to Border Security." Testimony was heard from the following officials of the Department of Homeland Security: Victor Cerda, Special Advisor to Assistant Secretary, Bureau of Immigration and Customs Enforcement; and Chief David Aguilar, Tuscan Sector Border Patrol Chief, Bureau of Customs and Border Protection; and public witnesses.

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Wednesday, June 16, 2004

Senate

Chamber Action

Routine Proceedings, pages 12407–96

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 2523–2534, and S. Res. 380–381. **Page 12467**

Measures Passed:

Honoring Detroit Pistons: Senate agreed to S. Res. 380, honoring the Detroit Pistons on winning the National Basketball Association Championship on June 15, 2004. **Page 12453**

Recognizing the Accomplishments of Ray Charles: Senate agreed to S. Res. 381, recognizing the accomplishments and significant contributions of Ray Charles to the world of music. **Page 12494**

National Defense Authorization Act: Senate continued consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, taking action on the following amendments proposed thereto: **Pages 12415, 12448**

Adopted:

Durbin Amendment No. 3386, to affirm that the United States may not engage in torture or cruel, inhuman, or degrading treatment or punishment. **Pages 12415, 12420**

Bunning (for McConnell/Bunning) Modified Amendment No. 3438, to modify and enhance the Energy Employees Occupational Illness Compensation Program. **Page 12421**

Graham (SC) Modified Amendment No. 3428, of a clarifying nature. **Page 12432**

By a unanimous vote of 97 yeas (Vote No. 119), Warner Modified Amendment No. 3452, to extend jurisdiction and scope for current fraud offenses. **Page 12434**

Sessions/Schumer Modified Amendment No. 3372, to extend military extraterritorial jurisdiction to cover not only personnel and contractor personnel of the Department of Defense, but also personnel and contractor personnel of any Federal agency or provisional authority supporting the mission of the Department of Defense overseas. **Page 12448**

Rejected:

Dodd Further Modified Amendment No. 3313, to prohibit the use of contractors for certain Department of Defense activities and to establish limitations on the transfer of custody of prisoners of the Department of Defense (By 54 yeas to 43 nays (Vote No. 118), Senate tabled the amendment.) **Page 12415**

By 46 yeas to 52 nays (Vote No. 120), Reid (for Leahy) Amendment No. 3292, to amend title 18, United States Code, to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts. **Page 12415**

Pending:

Reed Amendment No. 3352, to increase the end strength for active duty personnel of the Army for fiscal year 2005 by 20,000 to 502,400. **Page 12415**

Warner Amendment No. 3450 (to Amendment No. 3352), to provide for funding the increased number of Army active-duty personnel out of fiscal year 2005 supplemental funding. **Page 12415**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, June 18, 2004. **Page 12448**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Thursday, June 17, 2004, provided further, that Senator Bond be recognized in order to call up the Bond-Harkin amendment. **Page 12495**

Message From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report of the continuation of the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–87) **Page 12466**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Agreement With Canada on Pacific Hake/Whiting (Treaty Doc. No. 108–24)

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page 12494**

Appointments:

Election Assistance Board of Advisors: The Chair, on behalf of the Majority Leader pursuant to Public Law 107–252, Title II, Section 214, appointed the following individual to serve as a member of the Election Assistance Board of Advisors: Wesley R. Kliner, Jr., of Tennessee. **Page 12494**

National Commission of Small Community Air Service: The Chair, on behalf of the Majority Leader pursuant to Public Law 108–176, Section 411(b)(1)(B), appointed the following individual to serve as a member of the National Commission of Small Community Air Service: Philip H. Trenary of Tennessee. **Page 12494**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 97 yeas (Vote No. Ex. 121), William S. Duffey, Jr., of Georgia, to be United States District Judge for the Northern District of Georgia. **Pages 12444, 12496**

By unanimous vote of 97 yeas (Vote No. Ex. 122), Lawrence F. Stengel, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Pages 12445, 12496

By unanimous vote of 97 yeas (Vote No. Ex. 123), Paul S. Diamond, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Pages 12446, 12496

Nominations Received: Senate received the following nominations:

Micaela Alvarez, of Texas, to be United States District Judge for the Southern District of Texas.

1 Air Force nomination in the rank of general.

1 Army nomination in the rank of general.

3 Coast Guard nominations in the rank of admiral.

Routine lists in the Army. **Page 12495**

Executive Communications: **Page 12466**

Executive Reports of Committees: **Page 12467**

Additional Cosponsors: **Page 12468**

Statements on Introduced Bills/Resolutions: **Page 12470**

Additional Statements: **Page 12464**

Amendments Submitted: **Page 12492**

Notices of Hearings/Meetings: **Page 12493**

Authority for Committees to Meet: **Page 12493**

Privilege of the Floor: **Page 12494**

Record Votes: Six record votes were taken today. (Total—123) **Pages 12420, 12443–46, 12448**

Adjournment: Senate convened at 9 a.m., and adjourned at 7:17 p.m., until 9:30 a.m., on Thursday, June 17, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 12495.)

Committee Meetings

APPROPRIATIONS: HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Homeland Security approved for full Committee consideration an original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005.

VOIP REGULATORY FREEDOM ACT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine S. 2281, to provide a clear and unambiguous structure for the jurisdictional and regulatory treatment for the offering or provision of voice-over-Internet-protocol applications, after receiving testimony from Laura H. Parsky, Deputy Assistant Attorney General, Criminal Division, Department of Justice; James X. Dempsey, Center for Democracy and Technology, Washington, D.C.; Thomas Rutledge, Cablevision Systems Corporation, Bethpage, New York; David F. Jones, Spartanburg County Communications, Spartanburg, South Carolina, on behalf of the National Emergency Number Association; Stan Wise, Georgia Public Service Commission, Atlanta, on behalf of the National Association of Regulatory Utility Commissioners; Jeff Pulver, pulver.com, Melville, New York; and Arturo "Archie" Macias, Wheat State Telephone Company, Udall, Kansas, on behalf of the Organization for the Promotion and Advancement of Small Telecommunications Companies.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 155, to convey to the town of Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation, with an amendment;

S. 180, to establish the National Aviation Heritage Area, with an amendment in the nature of a substitute;

S. 211, to establish the Northern Rio Grande National Heritage Area in the State of New Mexico;

S. 323, to establish the Atchafalaya National Heritage Area, Louisiana, with an amendment in the nature of a substitute;

S. 1241, to establish the Kate Mullany National Historic Site in the State of New York, with an amendment in the nature of a substitute;

S. 1467, to establish the Rio Grande Outstanding Natural Area in the State of Colorado, with an amendment in the nature of a substitute;

S. 1521, to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community, with an amendment;

S. 1727, to authorize additional appropriations for the Reclamation Safety of Dams Act of 1978, with an amendment in the nature of a substitute;

S. 1957, to authorize the Secretary of the Interior to cooperate with the States on the border with Mexico and other appropriate entities in conducting a hydrogeologic characterization, mapping, and modeling program for priority transboundary aquifers, with an amendment in the nature of a substitute;

S. 2046, to authorize the exchange of certain land in Everglades National Park, with an amendment in the nature of a substitute;

S. 2180, to direct the Secretary of Agriculture to exchange certain lands in the Arapaho and Roosevelt National Forests in the State of Colorado, with an amendment in the nature of a substitute;

S. 2243, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska;

S. 2319, to authorize and facilitate hydroelectric power licensing of the Tapoco Project, with an amendment in the nature of a substitute;

H.R. 1648, to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District;

H.R. 1658, to amend the Railroad Right-of-Way Conveyance Validation Act to validate additional conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to facilitate the construction of the transcontinental railway, with an amendment;

H.R. 1732, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project;

H.R. 3209, to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project; and

The nomination of Suedeen G. Kelly, of New Mexico, to be a Member of the Federal Energy Regulatory Commission.

AGRICULTURE FINANCING INTEGRITY

Committee on Finance: Committee concluded a hearing to examine measures to strengthen regulations and oversight to better ensure agriculture financing integrity, focusing on a GAO report that evaluated qualifications and oversight associated with farm entity financing, specifically unlimited farm payments that have placed upward pressure on land prices leading to overproduction and lower commodity prices, after receiving testimony from Lawrence J. Dyckman, Director, Natural Resources and Environment, General Accounting Office.

U.S. NONPROLIFERATION POLICY

Committee on Foreign Relations: on Tuesday, June 15, Committee concluded a hearing to examine the Sea Island G8 Summit status report on the global partnership against weapons of mass destruction, focusing on the Nunn-Lugar program and related programs at the Departments of State and Energy to improve the United States' nonproliferation agenda, after receiving testimony from Senator Domenici; John R. Bolton, Under Secretary of State for Arms Control and International Security; and Linton F. Brooks, Administrator, National Nuclear Security Administration, Department of Energy.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Charles P. Ries, of the District of Columbia, to be Ambassador to Greece, Tom C. Korologos, of the District of Columbia, to be Ambassador to Belgium, who was introduced by Senators Hatch, Bennett, McCain, Byrd, and Stevens, and John Marshall Evans, of the District of Columbia, to be Ambassador to the Republic of Armenia, after each nominee testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 297, to provide reforms and resources to the Bureau of Indian Affairs to improve the Federal acknowledgement process, with an amendment in the nature of a substitute;

S. 1696, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, with an amendment in the nature of a substitute;

S. 1715, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, with amendments;

S. 2172, to make technical amendments to the provisions of the Indian Self-Determination and Education Assistance Act relating to contract support costs, with an amendment in the nature of a substitute;

S. 2277, to amend the Act of November 2, 1966 (80 Stat. 1112), to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation, and motion to authorize the chairman to issue subpoenas in regards to tribal lobbying matters; to be followed by an oversight hearing to examine the No Child Left Behind Act (Public Law 107–110); and

S. 2436, to reauthorize the Native American Programs Act of 1974.

Also, Committee met in closed session to discuss the issuance of subpoenas, in regard to tribal lobbying matters.

OGLALA SIOUX TRIBE ANGOSTURA IRRIGATION PROJECT

Committee on Indian Affairs: Committee concluded a hearing to examine S. 1996, to enhance and provide to the Oglala Sioux Tribe and Angostura Irrigation Project certain benefits of the Pick-Sloan Missouri River basin program, after receiving testimony from Senator Daschle; Ross Mooney, Acting Director of Trust Services, Bureau of Indian Affairs, Department of the Interior; and John Yellow Bird Steele, Oglala Sioux Tribe, and Valerie Janis, The Red Shirt District, both of Pine Ridge, South Dakota.

NO CHILD LEFT BEHIND ACT

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the No Child Left Behind Act (Public Law 107–110), focusing on the implementation of the Act in Indian communities, after receiving testimony from Theresa Rosier, Counselor to the Assistant Secretary of Indian Affairs, and Edward Parisian, Director, Office of Indian Education Programs, both of the Depart-

ment of the Interior; Victoria Vasques, Deputy Under Secretary and Director of the Office of Indian Education, and Darla Marberger, Deputy Assistant Secretary for Elementary and Secondary Education, both of the Department of Education; Lillian Sparks, National Indian Education Association, Alexandria, Virginia; Carmen Cornelius Taylor, National Indian School Board Association, Polson, Montana; Roger Bordeaux, Tiospa Zina Tribal School, Agency Village, South Dakota, on behalf of the Association of Community Tribal Schools, Inc.; Terry Ben, Mississippi Band of Choctaw Indians, Philadelphia, Pennsylvania; and Leland Leonard, Navajo Nation, Window Rock, Arizona.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Richard A. Griffin, of Michigan, who was introduced by Representative Camp, and David W. McKeague, of Michigan, who was introduced by Representative Mike Rogers (MI), each to be a United States Circuit Judge for the Sixth Circuit, and Virginia Maria Hernandez Covington, to be United States District Judge for the Middle District of Florida, who was introduced by Senator Nelson (FL), after each nominee testified and answered questions in their own behalf. Testimony was also received from Senators Levin and Stabenow on the nominations of Messrs. Griffin and McKeague.

House of Representatives

Chamber Action

Measures Introduced: 29 public bills, H.R. 4584–4602; and 6 resolutions, H. Con. Res. 451–452, and H. Res. 677–680, were introduced. **Page 12605**

Additional Cosponsors: **Page 12606**

Reports Filed: Reports were filed today as follows:

H.R. 4363, to facilitate self-help housing homeownership opportunities, amended (H. Rept. 108–546);

H. Res. 640, a resolution of inquiry requesting that the Secretary of Defense transmit to the House of Representatives before the expiration of the 14-day period beginning on the date of the adoption of this resolution any picture, photograph, video, communication, or report produced in conjunction with any completed Department of Defense investigation conducted by Major General Antonio M. Taguba relating to allegations of torture or allegations of violations of the Geneva Conventions of 1949 at Abu Ghraib prison in Iraq or any completed Department of Defense investigation relating to the abuse or alleged abuse of a prisoner of war or detainee by any civilian contractor working in Iraq who is employed on behalf of the Department of Defense, amended, adversely (H. Rept. 108–547);

H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad, amended (H. Rept. 108–548, Pt. 1); and

H. Res. 681, providing for consideration of the bill (H.R. 4520) to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad (H. Rept. 108–549). **Page 12604**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bereuter to act as Speaker Pro Tempore for today. **Page 12497**

Chaplain: The prayer was offered today by Rev. Les Burleson, Southeast Director, Hockey Ministries International in Wake Forest, North Carolina. **Page 12497**

Journal: Agreed to the Speaker's approval of the Journal of the proceedings of Tuesday, June 15 by a voice vote. **Pages 12497, 12592**

U.S. Refinery Revitalization Act of 2004: The House passed H.R. 4517, to provide incentives to increase refinery capacity in the United States, by a yea-and-nay vote of 239 yeas to 192 nays, Roll No. 246. **Pages 12500, 12528**

H. Res. 671, the rule providing for consideration of the bill was agreed to on Tuesday, June 15 by a recorded vote of 225 ayes to 193 noes, Roll No. 237.

Recess: The House recessed at 11:38 a.m. and reconvened at 1:15 p.m. **Page 12513**

Department of Homeland Security Appropriations Act for Fiscal Year 2005—Rule: The House agreed to H. Res. 675, the rule providing for consideration of H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, by a recorded vote of 234 ayes to 197 noes, Roll No. 244, after agreeing to order the previous question by a yea-and-nay vote of 224 yeas to 205 nays, Roll No. 243. **Page 12516**

Suspension Failed: The House failed to suspend the rules and pass the following measure which was debated on Tuesday, June 15:

Gasoline Price Reduction Act of 2004: H.R. 4545, to amend the Clean Air Act to reduce the proliferation of boutique fuels, by a ⅔ yea-and-nay vote of 236 yeas to 194 nays, Roll No. 247. **Page 12529**

Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 2005: The House began consideration of H.R. 4568, making appropriations for the Department of the Interior and related agencies

for the fiscal year ending September 30, 2005. Further consideration will resume tomorrow, June 17. **Page 12530**

Agreed to:

Slaughter en bloc amendment (as modified by unanimous consent to make a technical correction) that reduces funding for motor vehicle lease, purchase or service costs at the Department of the Interior, and increases funding for the National Endowment for the Arts and the National Endowment for the Humanities (by a recorded vote of 241 ayes to 185 noes, Roll No. 248); **Pages 12540, 12562**

Hunter amendment that prohibits the use of funds for the salaries and expenses of any employee for the expenditure of user fees for the costs of biological monitoring for a species that is included in a list published under the Endangered Species Act of 1973, or that is a candidate for inclusion in such a list; and **Page 12567**

Chabot amendment (No. 2, printed in the Congressional Record of June 15) that prohibits the use of funds to plan, design, study or construct forest development roads in Tongrass National Forest in Alaska for the purpose of harvesting timber by private entities or individuals (by a recorded vote of 222 ayes to 205 noes, Roll No. 253); (agreed by unanimous consent to limit debate time on the amendment to 20 minutes, equally divided and controlled). **Pages 12573, 12590**

Rejected:

Tancredo amendment (No. 5, printed in the Congressional Record of June 15) that sought to increase funding for the U.S. Forest Service National Forest System account for law enforcement (by a recorded vote of 112 ayes to 313 noes, Roll No. 249); **Pages 12551, 12563**

Hooley of Oregon amendment that sought to increase funding for Wildland Fire Management (by a recorded vote of 186 ayes to 241 noes, Roll No. 250); **Pages 12552, 12564**

Sanders amendment that provides funding for the energy smart schools program (by a recorded vote of 199 ayes to 227 noes, Roll No. 251); **Pages 12565, 12588**

Rahall amendment (No. 1, printed in the Congressional Record of June 15) that prohibits the use of funds to adversely affect the physical integrity of Indian Sacred Sites on federal lands, as such terms are defined in a May 24, 1996 Executive Order (by a recorded vote of 209 ayes to 215 noes, Roll No. 252); **Pages 12568, 12589**

Udall of New Mexico amendment (No. 3, printed in the Congressional Record of June 15) that prohibits the use of funds to finalize or implement proposed revisions to Forest Service rules relating to National Forest System Planning for Land and Resource Management Plans, as described in the proposed rule published in the Federal Register on Dec. 6, 2002 (by a recorded vote of 195 ayes to 230 noes, Roll No. 254); and **Pages 12578, 12590**

Flake amendment (No. 8, printed in the Congressional Record of June 15, offered under a unanimous consent agreement) that increases funding for the Payments in Lieu of Taxes program (by a recorded vote of 94 ayes to 332 noes, Roll No. 255). **Pages 12586, 12591**

Withdrawn:

Hensarling amendment, that was offered and subsequently withdrawn that would have limited funding for managing and maintaining Department of the Interior websites; and **Page 12585**

Hinchey amendment, that was offered and subsequently withdrawn without prejudice to reconsideration at a later time, that would have prohibited the use of funds to kill or assist other persons in killing bison in the Yellowstone National Park herd. **Page 12586**

Point of Order sustained against:

Provision of the bill relating to the Farm Security and Rural Investment Act of 2002; **Page 12554**

Section 319 of the bill concerning the Forest and Rangeland Renewable Resources Planning Act of 1974; and **Page 12562**

Kaptur amendment that sought to allow the Secretary of Energy to annually acquire and store as part of the Strategic Petroleum Reserve 300,000,000 gallons of ethanol and 100,000,000 gallons of biodiesel fuel. **Page 12577**

H. Res. 674, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 428 yeas to 1 nay, Roll No. 245. **Pages 12513, 12528**

Committee Resignation: Read a letter from Representative Reyes wherein he resigned from the Committee on Veterans' Affairs, effective immediately. **Page 12530**

Committee Election: Agreed to H. Res. 678, electing Representative Herseth to the Committees on Resources and Veterans' Affairs. **Page 12530**

Presidential Message: Read a message from the President wherein he notified Congress of the Continuation of the National Emergency with respect to the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation—referred to the Committee on International Relations and ordered printed (H. Doc. 108–194). **Page 12530**

Senate Message: Message received from the Senate today appears on page 12497.

Senate Referral: S. 2238 was held at the desk and S. 2362 was referred to the Committee on House Administration. **Page 12600**

Amendments: Amendments ordered printed pursuant to the rule appear on page 12606.

Quorum Calls—Votes: Four yea-and-nay votes and nine recorded votes developed during the proceedings of today and appear on pages 12526–30, 12562–64, and 12588–92. There were no quorum calls.

Recess: The House recessed at 11:55 p.m. and reconvened at 8:45 a.m. on Thursday, June 17. **Page 12600**

Adjournment: The House met at 10 a.m. and adjourned at 8:46 a.m. on Thursday, June 17.

Committee Meetings

REVIEW IRAQI AGRICULTURE

Committee on Agriculture: Held a hearing to review Iraqi Agriculture: From Oil for Food to the Future of Iraqi Production Agriculture and Trade. Testimony was heard from William J. Garvelink, Senior Deputy Assistant Administrator, Democracy, Conflict, and Humanitarian Assistance, U.S. Agency for International Development, Department of State; Joseph A. Christoff, Director, International Affairs and Trade, GAO; H. Lee Schatz, Special Counsel for Iraq Reconstruction, Office of the Administrator, Foreign Agricultural Service, USDA; and public witnesses.

DEFENSE AND ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Ordered reported the following appropriations for fiscal year 2005: Defense and Energy and Water Development.

LEGISLATIVE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative approved for full Committee action the Legislative appropriations for fiscal year 2005.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on Army Budget Request. Testimony was heard from the following officials of the Department of the Army: GEN Peter J. Schoomaker, USA, Chief of Staff; and Geoffrey G. Prosch, Acting Assistant Secretary (Installations and Environment).

IRAQ—STATUS OF U.S. FORCES AFTER JUNE 30TH

Committee on Armed Services: Held a hearing on the status of U.S. forces in Iraq after June 30, 2004. Testimony was heard from the following officials of the Department of Defense: Peter Rodman, Assistant Secretary (International Security Affairs); and LTG Walter L. Sharp, USA, Director, Strategic Plans and Policy, Joint Chiefs of Staff; and Ambassador Francis J. Ricciardone, Coordinator for Iraq Transition, Department of State.

U.S.-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION REPORT

Committee on Armed Services: Held a hearing on the report of the United States-China Economic and Security Review Commission. Testimony was heard from the following officials of the U.S.-China Economic and Security Review Commission: Roger W. Robinson, Jr., Chairman; and Carolyn Bartholomew, Commissioner.

COLLEGE ACCESS AND OPPORTUNITY ACT

Committee on Education and the Workforce: Held a hearing entitled "H.R. 4283, College Access and Opportunity Act: Are Students at Proprietary Institutions Treated Equitably under Current Law?" Testimony was heard from public witnesses.

NUCLEAR WASTE FUND—RECLASSIFY FEES PAID

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality approved for full Committee action, as amended, H.R. 3981, To reclassify fees paid into the Nuclear Waste Fund as offsetting collections.

OVERWEIGHT CHILDREN—HEALTH CONCERNS ABOUT DIETARY SUPPLEMENTS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Parents Be Aware: Health Concerns about Dietary Supplements for Overweight Children." Testimony was heard from Howard Beales, Director, Bureau of Consumer Protection, FTC; Howell Wechsler, Acting Director, Division of Adolescent and School Health, Center for Disease Control and Prevention, Department of Health and Human Services; and public witnesses.

FHA SINGLE FAMILY LOAN LIMIT ADJUSTMENT ACT

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing on H.R. 4110, FHA Single Family Loan Limit Adjustment Act of 2004. Testimony was heard from John C. Weicher, Assistant Secretary, Housing/Federal Housing Commissioner, Department of Housing and Urban Development; and public witnesses.

OVERSIGHT—TREASURY DEPARTMENT

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled "Oversight of the Department of the Treasury." Testimony was heard from the following officials of the Department of the Treasury: Samuel W. Bodman, Deputy Secretary; William J. Fox, Director, Financial Crimes Enforcement Network; R. Richard Newcomb, Director, Office of Foreign Assets Control; Nancy J. Jardini, Chief, Criminal Investigation, IRS; and Dennis S. Schindel, Acting Inspector General.

OVERSIGHT—PRIVATE SECTOR CONSULTANTS AND FEDERAL MANAGEMENT

Committee on Government Reform: Subcommittee on Government Efficiency and Financial Management held an oversight hearing entitled "Private Sector Consultants and Federal Management: More than Balancing the Books." Testimony was heard from public witnesses.

CASTRO'S CUBA—CONTINUED HUMAN RIGHTS ABUSES

Committee on Government Reform: Subcommittee on Human Rights and Wellness held a hearing entitled "Living in Fear: The Continued Human Rights Abuses in Castro's Cuba." Testimony was heard from the following officials of the Department of State: Michael Kozak, Principal Deputy Assistant Secretary, Bureau of Democracy, Human Rights, and Labor; Dan Fish, Deputy Assistant Secretary; and David Mutchler, Senior Advisor on Cuba, U.S. Agency for International Development; and public witnesses.

CYBER-CHALLENGES FACING HOME USERS AND SMALL BUSINESSES

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held a hearing entitled "Locking Your Cyber Front Door—The Challenges Facing Home Users and Small Businesses." Testimony was heard from Amit Yoran, Director, National Cyber Security Division, Department of Homeland Security; J. Howard Beales III, Director, Bureau of Consumer Protection, FTC; Cheryl A. Mills, Associate Administrator, Entrepreneurial Development, SBA; Ed Roback, Chief, Computer Security Division, National Institute of Standards and Technology, Department of Commerce; and public witnesses.

U.S. INITIATIVES—NATO'S SUMMIT

Committee on International Relations: Subcommittee on Europe held a hearing on U.S. Initiatives at NATO's Istanbul Summit. Testimony was heard from Ian J. Brzezinski, Deputy Assistant Secretary, European and NATO Affairs, Department of Defense; and Robert A. Bradtke, Deputy Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State.

U.S.-EGYPTIAN RELATIONS FUTURE

Committee on International Relations: Subcommittee on the Middle East and Central Asia held a hearing on The Future of U.S.-Egyptian Relations. Testimony was heard from the following officials of the Department of State: Rose Likins, Principal Deputy Assistant Secretary, Bureau of Political-Military Affairs; David Satterfield, Deputy Assistant Secretary, Bureau of Near Eastern Affairs; and James Kunder, Deputy Assistant Administrator, Bureau for Asia and the Near East, U.S. Agency for International Development.

VISA WAIVER PROGRAM—SCREENING POTENTIAL TERRORISTS

Committee on International Relations: Subcommittee on International Terrorism, Nonproliferation and Human Rights held a hearing on The Visa Waiver Program and the Screening of Potential Terrorists. Testimony was heard from Robert Jackstra, Executive Director, Boarder Security and Facilitation, U.S. Customs and Border Protection, Department of Homeland Security; Catherine Barry, Managing Director, Office of Visa Services, Department of State; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported, as amended, the following bills: H.R. 218, Law Enforcement Officers Safety Act of 2003; and H.R. 3266, Faster and Smarter Funding for First Responders Act of 2003.

CREATE OFFICE OF CHIEF FINANCIAL OFFICER—VIRGIN ISLANDS GOVERNMENT

Committee on Resources: Held a hearing on H.R. 3589, To create the Office of Chief Financial Officer of the Government of the Virgin Islands. Testimony was heard from Delegate Norton; David Cohen, Deputy Assistant Secretary, Insular Affairs, Department of the Interior; the following officials of the Virgin Islands: Charles W. Turnbull, Governor; David A. Jones, Senate President; and Ronald E. Russell, Senator; and a public witness.

OVERSIGHT—FISHERY DATA COLLECTION PROGRAMS IMPORTANCE

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held an oversight hearing on The Importance of Fishery Data Collection Programs. Testimony was heard from Michael Sissenwine, Director, Scientific Programs and Chief Scientific Advisor, National Marine Fisheries Service, NOAA, Department of Commerce; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power approved for full Committee action, as amended, the following bills: H.R. 3334, Riverside-Corona Feeder Authorization Act; H.R. 3597, To authorize the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study on the Alder Creek water storage and conservation project in El Dorado County, California; and H.R. 4045, To authorize the Secretary of the Interior to prepare a feasibility study with respect to the Mokelumne River.

AMERICAN JOBS CREATIONS ACT OF 2004

Committee on Rules: Granted, by a vote of 9 to 3, a closed rule providing 1 hour of debate on H.R. 4520, American Jobs Creations Act of 2004, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Ways and Means, as modified by the amendment printed in the Rules Committee report accompanying the resolution, shall be considered as adopted. The rule waives all points of order against the bill, as amended, and against its consideration. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from

Representatives Portman, Sandlin, Baird, McGovern, Bordallo, and Emanuel.

EXAMINE RULE X—ORGANIZATION OF COMMITTEES

Committee on Rules: Subcommittee on Technology and the House held a hearing to examine Rule X, the Organization of Committees, including its current legislative impact, arrangement, and effectiveness. Testimony was heard from Representatives Tom Davis of Virginia, Waxman, Cox, Turner of Texas, Boehner and Thomas.

Hearings continue tomorrow.

MISCELLANEOUS MEASURES

Committee on Science: Ordered reported, as amended, the following bills: H.R. 3890, To reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988; and H.R. 4516, Department of Energy High-End Computing Revitalization Act of 2004; H.R. 4218, High-Performance Computing Revitalization Act of 2004; and H.R. 3598, Manufacturing Technology Competitiveness Act of 2004.

OVERSIGHT—PIPELINE SAFETY AND THE OFFICE OF PIPELINE SAFETY

Committee on Transportation and Infrastructure: Subcommittee on Highways, Transit, and Pipelines held an oversight hearing on Pipeline Safety and the Office of Pipeline Safety. Testimony was heard from Robert Chipkevich, Director, Office of Railroads, Pipeline, and Hazardous Materials Investigations, National Transportation Safety Board; the following officials of the Department of Transportation: Kenneth M. Mead, Inspector General; Samuel G. Bonasso, Deputy Administrator, Research and Special Programs Administration; and Stacey Gerard, Associate Administrator, Office of Pipeline Safety; and Katherine Siggerud, Director, Physical Infrastructure Issues. GAO.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Subcommittee on Benefits held a hearing on the following: H.R. 4032, Veterans Fiduciary Act of 2004; and the Veterans Self-Employment Act of 2004.

Testimony was heard from Jack McCoy, Director, Education Service, Veterans Benefits Administration, Department of Veterans; and public witnesses.

U.S-AUSTRALIA FREE TRADE AGREEMENT IMPLEMENTATION

Committee on Ways and Means: Held a hearing on the Implementation of the United States-Australia Free Trade Agreement. Testimony was heard from the following officials of the Office of the United States Trade Representative: Josette Sheeran Shiner, Deputy U.S. Trade Representative; and Allen Johnson, Chief Agricultural Negotiator; and public witnesses.

INTELLIGENCE AUTHORIZATION ACT FISCAL YEAR 2005

Permanent Select Committee on Intelligence: Met in executive session and ordered reported, as amended, H.R. 4548, Intelligence Authorization Act for Fiscal Year 2005.

Joint Meetings

THE MIDDLE EAST

Commission on Security and Cooperation in Europe (Helsinki Commission): on Tuesday, June 15, Commission concluded a hearing to examine the advancing of democracy and human rights in the Middle East focusing on the possibility of using the 1975 Helsinki Final Act and related institutions as models for reform in the region, after receiving testimony from H.E. Natan Sharansky, Israeli Minister of Disapora Affairs, Jerusalem; Ambassador Max M. Kampelman, Conference on Security and Cooperation in Europe, and Ambassador Mark Palmer, both of Freedom House, and Ambassador (retired) Craig Dunkerley, and Michael Yaffe, both of the National Defense University Near East-South Asia Center for Strategic Studies, all of Washington, D.C.; and Peter Jones, University of Toronto Munk Centre for International Studies, and Privy Council, Ottawa, Canada.

ANTI-SEMITISM IN EUROPE

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded a hearing to examine the April 2003 Berlin Conference on Anti-Semitism and consider appropriate steps to following up on the conference, after receiving testimony from Representative Lantos; Natan Sharansky, Israeli Minister for Diaspora Affairs, and Head of the Israeli Delegation to the Berlin OSCE Conference on Anti Semitism, Jerusalem; Betty Ehrenberg, Institute for Public Affairs, and the Orthodox Union of Jewish Congregations, James S. Tisch, Conference of Presidents of Major American Jewish Organizations, and Mark Weitzman, Simon Wiesenthal Center, all of New York, New York; Paul Goldenberg, American Jewish Committee, Howell, New Jersey; Fred Zeidman, U.S. Holocaust Memorial Council, Houston, Texas; and Jay Lefkowitz, Kirkland & Ellis, LLP, Stacy Burdett, Anti-Defamation League, Dan Mariaschin, B'nai B'rith International, and Shai Franklin, NCSJ, all of Washington, D.C.

Thursday, June 17, 2004

Senate

Chamber Action

Routine Proceedings, pages 12625–12744

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 2535–2546, S. Res. 382, and S. Con. Res. 119. **Page 12711**

Measures Reported: S. 2537, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005. (S. Rept. No. 108–280)

S. 2013, to amend section 119 of title 17, United States Code, to extend satellite home viewer provisions, with an amendment in the nature of a substitute. **Page 12711**

Measures Passed:

Authorizing Senate Chamber Photograph: Senate agreed to S. Res. 382, authorizing the taking of a photograph in the Chamber of the United States Senate. **Page 12739**

National Defense Authorization Act: Senate continued consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, taking action on the following amendments proposed thereto: **Pages 12627, 12661**

Adopted:

Murray Modified Amendment No. 3427, to facilitate the availability of child care for the children of members of the Armed Forces on active duty in connection with Operation Enduring Freedom or Operation Iraqi Freedom. **Page 12629**

By 55 yeas to 44 nays (Vote No. 125), Warner Amendment No. 3453 (to Amendment No. 3354), to require the Secretary of Defense to prescribe and apply criteria for operationally realistic testing of fieldable prototypes developed under the ballistic missile defense spiral development program. **Page 12643**

Reed Amendment No. 3354, to require baselines for and testing of block configurations of the Ballistic Missile Defense System. **Page 12642**

Warner Modified Amendment No. 3450 (to Amendment No. 3352), to provide for funding the increased number of Army active-duty personnel out of fiscal year 2005 supplemental funding. **Pages 12627, 12661**

Sessions Amendment No. 3371, to provide for increased support of survivors of deceased members of the uniformed services. **Page 12667**

By 93 yeas to 4 nays (Vote No. 129), Reed Amendment No. 3352, to increase the end strength for active duty personnel of the Army for fiscal year 2005 by 20,000 to 502,400. **Pages 12627, 12681**

Warner (for Alexander) Modified Amendment No. 3173, to provide for the supplemental subsistence allowance, imminent danger pay, family separation allowance, and certain federal assistance to be cumulative benefits; and to require a report on availability of social services to members of the Armed Forces. **Page 12685**

Levin (for Daschle) Amendment No. 3202, to provide relief for mobilized military reservists from certain Federal agricultural loan obligations. **Page 12685**

Warner (for Ensign) Modified Amendment No. 3440, to promote a thorough investigation of the United Nations Oil-for-Food Program. **Page 12685**

Levin (for Clinton/Talent) Modified Amendment No. 3163, to provide for improved medical readiness of the members of the Armed Forces. **Pages 12686, 12693**

Warner (for Inhofe) Modified Amendment No. 3199, to authorize United Service Organizations, Incorporated (USO) to procure supplies and services from the General Services Administration supplies and services on the Federal Supply Schedule. **Page 12688**

Levin (for Feinstein) Modified Amendment No. 3172, to express the sense of the Senate that perchlorate contamination of ground and surface water is becoming increasingly problematic to the public health of people in the United States. **Page 12688**

Warner (for Bond) Modified Amendment No. 3245, to require two reports on operation of the Federal Voting Assistance Program and the military postal system together with certain actions to improve the military postal system. **Page 12689**

Levin (for Leahy) Modified Amendment No. 3285, to amend title 32, United States Code, to provide for the use of members of the National Guard on full-time National Guard duty for carrying out homeland security activities in support of Federal agencies. **Page 12689**

Warner (for Allard/Pryor) Amendment No. 3254, to repeal a requirement for an officer to retire upon termination of service as Superintendent of the Air Force Academy. **Page 12690**

Levin (for Akaka) Modified Amendment No. 3413, to amend the Science, Mathematics, and Research for Transformation (SMART) Defense Scholarship Pilot Program. **Page 12690**

Warner (for Snowe) Amendment No. 3246, to permit qualified HUBZone small business concerns and small business concerns owned and controlled by service-disabled veterans to participate in the mentor-protege program of the Department of Defense. **Page 12690**

Levin (for Bingaman) Modified Amendment No. 3390, to express the sense of Congress on the Global Partnership Against the Spread of Weapons of Mass Destruction. **Page 12690**

Warner (for Snowe) Modified Amendment No. 3273, to revise and extend the authority for an advisory panel

on review of Government procurement laws and regulations. Page 12690

Levin (for Bingaman) Modified Amendment No. 3284, to require an independent report on the efforts of the National Nuclear Security Administration to understand the aging of plutonium in nuclear weapons. Page 12690

Warner (for McConnell/Snowe) Modified Amendment No. 3434, to express the sense of the Senate on the effects of cost inflation on the value range of the contracts to which a small business contract reservation applies. Page 12691

Levin (for Dodd/DeWine) Amendment No. 3401, to amend the Federal Fire Prevention and Control Act of 1974 to provide financial assistance for the improvement of the health and safety of firefighters, promote the use of life saving technologies, and achieve greater equity for departments serving large jurisdictions. Pages 12691, 12692

Warner (for Campbell) Modified Amendment No. 3237, to ensure fairness in the standards applied to members of the Army in the awarding of the Combat Infantryman Badge and the Combat Medical Badge for service in Korea in comparison to the standards applied to members of the Army in the awarding of such badges for service in other areas of operations. Page 12691

Levin (for Nelson (FL)) Modified Amendment No. 3279, to require a report on any relationships between terrorist organizations based in Colombia and foreign governments and organizations. Page 12691

Rejected:

By 42 yeas to 57 nays (Vote No. 124), Boxer Amendment No. 3368, to allow deployment of the ground-based midcourse defense element of the national ballistic missile defense system only after the mission-related capabilities of the system have been confirmed by operationally realistic testing. Page 12632

By 44 yeas to 53 nays (Vote No. 130), Biden Amendment No. 3379, to provide funds for the security and stabilization of Iraq by suspending a portion of the reduction in the highest income tax rate for individual taxpayers. Pages 12670, 12682

Pending:

Bond Modified Amendment No. 3384, to include certain former nuclear weapons program workers in the Special Exposure Cohort under the Energy Employees Occupational Illness Compensation Program and to provide for the disposal of certain excess Department of Defense stocks for funds for that purpose. Pages 12627, 12683

Brownback Amendment No. 3235, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language. Page 12694

Burns Amendment No. 3457 (to Amendment No. 3235), to provide for additional factors in indecency penalties issued by the Federal Communications Commission. Page 12695

During consideration of this measure today, Senate also took the following action:

The pending motion to invoke cloture on the bill was vitiated. Page 12699

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m, on Friday, June 18, 2004. Page 12744

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 99 yeas (Vote No. Ex. 126), James L. Robart, of Washington, to be United States District Judge for the Western District of Washington. Pages 12656, 12744

By 98 yeas 1 nay (Vote No. Ex. 127), Roger T. Benitez, of California, to be United States District Judge for the Southern District of California. Pages 12658, 12744

By unanimous vote of 99 yeas (Vote No. Ex. 128), Jane J. Boyle, of Texas, to be United States District Judge for the Northern District of Texas. Pages 12659, 12744

Alan Greenspan, of New York, to be Chairman of the Board of Governors of the Federal Reserve System for a term of four years. (Reappointment) Page 12744

Nominations Received: Senate received the following nominations:

Albert A. Frink, Jr., of California, to be an Assistant Secretary of Commerce.

John Ripin Miller, of Washington, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large. (New Position)

Robert Allen Pittman, of Florida, to be an Assistant Secretary of Veterans Affairs (Human Resources and Administration).

Routine lists in the Army. Page 12744

Messages From the House: Page 12709

Measures Referred: Page 12709

Executive Communications: Page 12709

Executive Reports of Committees: Page 12711

Additional Cosponsors: Page 12712

Statements on Introduced Bills/Resolutions: Page 12714

Additional Statements: Page 12708

Amendments Submitted: Page 12740

Notices of Hearings/Meetings: Page 12741

Authority for Committees to Meet: Page 12741

Privilege of the Floor: Page 12742

Record Votes: Seven record votes were taken today. (Total—130) Pages 12642, 12656–61, 12682

Adjournment: Senate convened at 9:30 a.m., and adjourned at 9:24 p.m., until 9:30 a.m., on Friday, June

18, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 12744.)

Committee Meetings

APPROPRIATIONS: HOMELAND SECURITY

Committee on Appropriations: Committee ordered favorably reported an original bill (S. 2537) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005.

BOND MARKETS REGULATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the regulation of the bond markets, focusing on fixed-income market transparency, Trade Reporting and Compliance Engine (TRACE) enabling investors to access current price information for U.S. corporate bonds, and State, local, and Internal Revenue Service regulation of municipal issuers, after receiving testimony from Annette L. Nazareth, Director, Division of Market Regulation, U.S. Securities and Exchange Commission; Doug Shulman, National Association of Securities Dealers, New York, New York; Christopher A. Taylor, Municipal Securities Rulemaking Board, Alexandria, Virginia; Micah S. Green, Bond Market Association, Washington, D.C.; Christopher M. Ryon, Vanguard Group, Valley Forge, Pennsylvania; Arthur Warga, University of Houston C.T. Bauer College of Business, Houston, Texas.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the following business items:

S. 894, to require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center;

S. 976, to provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement; and

The nomination of Alan Greenspan, of New York, to be Chairman of the Board of Governors of the Federal Reserve System.

BORDER SECURITY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine federal efforts to enhance border security, focusing on technological advancements and national border control and cross-agency law enforcement initiatives, after receiving testimony from Senator Kyl; Representative Kolbe; Asa Hutchinson, Under Secretary for Border and Transportation Security, Charles E. McQueary, Under Secretary for Science and Technology, and Mary Delaquis, Port Director, Customs and Border Protection, all of the Department of Homeland Security; Roger Di Rosa, Refuge Manager, Cabeza Prieta National Wildlife Refuge, U.S. Fish and Wildlife Service, Department of the Interior; George Happ, Alaska EPSCoR, University of Alaska-Fairbanks; and Ned Norris, Jr., Tohono O'Odham Nation, Sells, Arizona.

U.S. SPACE EXPLORATION POLICY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the final report of the President's Commission on Implementation of United States Space Exploration Policy, focusing on a transformation of NASA, building an international space industry, a discovery-based science agenda, and educational initiatives to support youth and teachers inspired by space exploration, after receiving testimony from Edward C. Aldridge, Jr., Chairman, President's Commission on Implementation of United States Space Exploration Policy; Paul D. Spudis, Johns Hopkins University Applied Physics Laboratory, Laurel, Maryland; Marie T. Zuber, Massachusetts Institute of Technology Department of Earth Atmospheric and Planetary Sciences, Cambridge; Laurie A. Leshin, Arizona State University College of Liberal Arts and Sciences, Tempe; and Lester L. Lyles, Columbus, Ohio.

ENVIRONMENTAL MANAGEMENT PROGRAM

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the Environmental Management Program of the Department of Energy and issues associated with accelerated cleanup, focusing on concerns over activities at the Hanford Site involving occupational medical services and potential exposures to tank farm vapors, development of risk-based end states, and waste incidental to reprocessing, after receiving testimony from Jessie H. Roberson, Assistant Secretary for Environmental Management, Glenn S. Podonsky, Director, Office of Security and Safety Performance Assurance, and Gregory H. Friedman, Inspector General, all of the Department of Energy.

WATER MANAGEMENT

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded a hearing to examine S. 1211, to further the purposes of title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992, the "Reclamation Wastewater and Groundwater Study and Facilities Act", by directing the Secretary of the Interior to undertake a demonstration program for water reclamation in the Tularosa Basin of New Mexico; S. 2460, to provide assistance to the State of New Mexico for the development of comprehensive State water plans; S. 2508, to redesignate the Ridges Basin Reservoir, Colorado, as Lake Nighthorse; S. 2511, to direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico; and S. 2513, to authorize the Secretary of the Interior to provide finan-

cial assistance to the Eastern New Mexico Rural Water Authority for the planning, design, and construction of the Eastern New Mexico Rural Water System, after receiving testimony from John W. Keys III, Commissioner, Bureau of Reclamation, Department of the Interior; Mayor David M. Lansford, Clovis, New Mexico; and John R. D'Antonio, Jr., New Mexico State Engineer, Santa Fe.

LAW ENFORCEMENT TREATIES

Committee on Foreign Relations: Committee concluded a hearing to examine Council of Europe Convention on Cybercrime (the "Cybercrime Convention" or the "Convention"), which was signed by the United States on November 23, 2001 (Treaty Doc. 108–11), United Nations Convention Against Transnational Organized Crime (the "Convention"), as well as two supplementary protocols: (1) the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and (2) the Protocol Against Smuggling of Migrants by Land, Sea and Air, which were adopted by the United Nations General Assembly on November 15, 2000. The Convention and Protocols were signed by the United States on December 13, 2000, at Palermo, Italy (Treaty Doc. 108–16), Inter-American Convention Against Terrorism ("Convention") adopted at the Thirty-second Regular Session of the General Assembly of the Organization of American States ("OAS") Meeting in Bridgetown, Barbados, and signed by thirty countries, including the United States, on June 3, 2002 (Treaty Doc. 107–18), and Protocol of Amendment to the International Convention on the Simplification and Harmonization of Customs Procedures done at Brussels on June 26, 1999 (Treaty Doc. 108–6), after receiving testimony from Michael T. Schmitz, Acting Assistant Commissioner for International Affairs, U.S. Customs and Border Protection, Department of Homeland Security; Bruce Swartz, Deputy Assistant Attorney General, Criminal Division, Department of Justice; and Samuel M. Witten, Deputy Legal Adviser, Department of State.

INTERNET PHARMACIES

Committee on Governmental Affairs: Permanent Subcommittee on Investigations held a hearing to examine the danger of purchasing pharmaceuticals over the Internet, focusing on the extent to which consumers can purchase pharmaceuticals over the Internet without a medical prescription, the importation of pharmaceuticals into the United States, and whether pharmaceuticals from foreign services are counterfeit, expired, unsafe, or illegitimate, receiving testimony from Marcia Crosse, Director, Health Care—Public Health and Military Healthcare Issues, and Robert J. Cramer, Managing Director, Office of Special Investigations, both of the General Accounting Office; Rudolph W. Giuliani, Giuliani Partners, LLC, New York, New York; Marvin D. Shepherd, University of Texas at Austin College of Pharmacy; Francine H. Haight, Orange County, California; and Elizabeth Carr, Sacramento, California.

Hearings continue on Thursday, June 24.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 2013, to amend section 119 of title 17, United States Code, to extend satellite home viewer provisions, with an amendment in the nature of a substitute; and

The nomination of Henry W. Saad, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

Also, committee failed to approve the issuance of a subpoena to Attorney General John Ashcroft to obtain certain documents.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 9 public bills, H.R. 4603–4611; and 4 resolutions, H. Con. Res. 453–456, were introduced. **Page 12964**

Additional Cosponsors: **Page 12965**

Reports Filed: Reports were filed today as follows:

H.R. 4471, to clarify the loan guarantee authority under title VI of the Native American Housing Assistance and Self-Determination Act of 1996 (H. Rept. 108–550);

H.R. 3797, to authorize improvements in the operations of the government of the District of Columbia (H. Rept. 108–551, Pt. 1); and

H.R. 3751, to require that the Office of Personnel Management study and present options under which dental and vision benefits could be made available to Federal employees and retirees and other appropriate classes of individuals, amended (H. Rept. 108–552). **Page 12964**

Chaplain: The prayer was offered today by Rev. Greg Surratt, Pastor, Seacoast Christian Community Church in Mount Pleasant, South Carolina. **Page 12745**

Journal: Agreed to the Speaker's approval of the Journal of Wednesday, June 16 by a recorded vote of 342 ayes to 67 noes, with one voting "present", Roll No. 260. **Pages 12745, 12888**

American Jobs Creation Act of 2004: The House passed H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology busi-

nesses and workers more competitive and productive both at home and abroad, by a recorded vote of 251 ayes to 178 noes, Roll No. 259. **Page 12760**

Agreed to the amendment in the nature of a substitute recommended by the Committee on Ways and Means, as modified by the amendment printed in H. Rept. 108–549. **Page 12887**

Rejected the Rangel motion to recommit the bill to the Committee on Ways and Means with instructions to report the same back to the House forthwith with amendments by a yea-and-nay vote of 193 yeas to 235 nays, Roll No. 258. **Page 12861**

H. Res. 681, the rule providing for consideration of the bill was agreed to by a recorded vote of 230 ayes to 195 noes, Roll No. 257, after agreeing to order the previous question by a yea-and-nay vote of 233 yeas to 193 nays, Roll No. 256. **Page 12749**

Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 2005: The House passed H.R. 4568, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2005, by a yea-and-nay vote of 334 yeas to 86 nays, Roll No. 264. The bill was also considered on Wednesday, June 16. **Page 12889**

Agreed to:

Dicks amendment requiring that the Secretary of the Interior submit a report 30 days after the enactment of this act with a date certain of when and whether the public will have full access to the Statue of Liberty, including all areas that were closed after 9/11. **Page 12913**

Rejected:

Hinchey amendment (no. 18, printed in the Congressional Record of June 16) that sought to prohibit the use of funds to kill or assist in the killing of bison in the Yellowstone National Park herd (by a recorded vote of 202 ayes to 215 noes, Roll No. 261); **Pages 12889, 12915**

Sanders amendment (modified by unanimous consent) that sought to prohibit the use of funds to maintain more than 647 million barrels of crude oil in the Strategic Petroleum Reserve (by a recorded vote of 152 ayes to 267 noes, Roll No. 262); and **Pages 12895, 12916**

Holt amendment (no. 4, printed in the Congressional Record of June 15) that sought to prohibit the use of funds to permit recreational snowmobile use in Yellowstone National Park, Grand Teton National Park and the John D. Rockfeller, Jr., Memorial Parkway (by a recorded vote of 198 ayes to 224 noes, Roll No. 263). **Pages 12901, 12917**

Withdrawn:

Jackson-Lee of Texas amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to eliminate or restrict programs that are for the reforestation of urban areas; and **Page 12913**

Jackson-Lee of Texas amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds appropriated in title I of the bill for construction of the Gregory Lincoln Education Center in Houston, Texas. **Page 12914**

Point of Order sustained against:

Weiner amendment that would have directed the Secretary of the Interior to provide public access to the Statue of Liberty and its interior substantially equivalent to the access provided before September 11, 2001, not later than July 31, 2004. **Page 12912**

H. Res. 674, the rule providing for consideration of the bill was agreed on Wednesday, June 16.

Department of Homeland Security Appropriations Act for Fiscal Year 2005—Rule: The House began consideration of H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005. Further consideration will resume tomorrow, June 18. **Page 12920**

Agreed to:

Weldon of Pennsylvania amendment (no. 12, printed in the Congressional Record of June 16) that increases funding for the Staffing for Adequate Fire and Emergency Response Firefighters Program; and **Page 12934**

Turner amendment (agreed) that increases funding for customs and border protection. **Page 12936**

Rejected:

Simmons amendment (no. 11, printed in the Congressional Record of June 15) that sought to increase funding for the Coast Guard acquisition, construction, and improvements program; **Page 12944**

DeFazio amendment (no. 17, printed in the Congressional Record of June 16) that sought to strike a provision in title II of the bill relating to the maximum staffing level for full-time equivalent aviation screeners (by a recorded vote of 180 ayes to 228 noes, Roll No. 265); and **Pages 12939, 12960**

Sweeney amendment (no. 3, printed in the Congressional Record of June 15) that sought to increase High Threat grants for Urban Areas Security Initiative (by a recorded vote of 171 ayes to 237 noes, Roll No. 266); **Pages 12946, 12960**

Withdrawn:

Stupak amendment that was offered and subsequently withdrawn that would have increased funding for the Office of State and Local Government Coordination and Preparedness. **Page 12937**

Point of Order sustained against:

Section of the bill on page 14, lines 9–19, concerning the Federal Government's share of costs for aviation security at airports; and **Page 12939**

Language on page 22, lines 22 and 23 of the bill that states "not withstanding any other provision of law"; **Page 12946**

Sweeney amendment (no. 16, printed in the Congressional Record of June 16) that would have required that any grants to states under the formula-based grant program in excess of any statutorily required minimum

amount be distributed based on an assessment of the risk of terrorist threats, vulnerabilities and consequences.

Page 12946

H. Res. 675, the rule providing for consideration of the bill was agreed to on Wednesday, June 16.

Amendments: Amendments ordered printed pursuant to the rule appear on page 12965.

Quorum Calls—Votes: Three yea-and-nay votes and eight recorded votes developed during the proceedings of today and appear on pages 12758–60, 12886–88, 12915–17, 12920, and 12960–61. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12:33 a.m. on Friday, June 18.

Committee Meetings

IRAQI SECURITY FORCES

Committee on Armed Services: Held a hearing on training of Iraqi security forces. Testimony was heard from LTG David H. Petraeus, USA, Chief, Office of Security Transition—Iraq, Department of Defense.

U.S. DEFENSE INDUSTRIAL BASE—IMPACT OF DEFENSE TRADE OFFSETS

Committee on Armed Services: Held a hearing on the impact of defense trade offsets on the U.S. defense industrial base. Testimony was heard from public witnesses.

SAFEGUARD AGAINST PRIVACY INVASIONS ACT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection approved for full Committee action, as amended, H.R. 2929, Safeguard Against Privacy Invasions Act.

E-RATE PROGRAM PROBLEMS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Problems with the E-rate Program: Waste, Fraud, and Abuse Concerns in the Wiring of Our Nation's Schools to the Internet." Testimony was heard from the following officials of the FCC: H. Walker Feaster III, Inspector General; Carol E. Mattey, Deputy Chief, Wireline Competition Bureau; and Jane E. Mago, Chief, Office of Strategic Planning and Policy Analysis; the following officials of the Commonwealth of Puerto: Manuel Diaz Saldana, Comptroller; and Cesar A. Rey Hernandez, Secretary, Department of Education

U.S.-EU REGULATORY DIALOGUE

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology held a hearing entitled, "The U.S.-EU Regulatory Dialogue: The Private Sector Perspective." Testimony was heard from public witnesses.

WAR AGAINST DRUGS AND THUGS

Committee on Government Reform: Held a hearing entitled "The War Against Drugs and Thugs: A Status Report on Plan Colombia Successes and Remaining Challenges." Testimony was heard from John P. Walters, Director, Office of National Drug Control Policy; the following officials of the Department of State: Roger F. Noriega, Assistant Secretary, Western Hemisphere Affairs; and Robert B. Charles, Assistant Secretary, International Narcotics and Law Enforcement Affairs; the following officials of the Department of Defense: Thomas W. O'Connell, Assistant Secretary, Special Operations and Low-Intensity Conflict; and GEN James T. Hill, USA, Commander, U.S. Southern Command; Karen P. Tandy, Administrator, DEA, Department of Justice; Luis Alberto Moreno, Ambassador to the United States, Republic of Colombia; and public witnesses.

OVERSIGHT—ELECTION ASSISTANCE COMMISSION—HELP AMERICAN VOTE ACT IMPLEMENTATION

Committee on House Administration: Held an oversight hearing on the Election Assistance Commission and Implementation of the Help America Vote Act. Testimony was heard from the following officials of the Election Assistance Commission: DeForest B. Soaries, Jr., Chairman; Gracia Hillman, Vice Chair; Paul DeGregorio and Ray Martinez, both Commissioners.

MISCELLANEOUS RESOLUTIONS; EGYPT-U.S. ECONOMIC ASSISTANCE

Committee on International Relations: Favorably considered and adopted a motion urging the Chairman to request that the following measures be considered on the Suspension Calendar: H. Res. 642, amended, House Commission for Assisting Democratic Parliaments Resolution; and H. Con. Res. 410, Recognizing the 25th anniversary of the adoption of the Constitution of the Republic of the Marshall Islands and recognizing the Marshall Islands as a staunch ally of the United States, committed to principles of democracy and freedom for the Pacific region and throughout the world.

The Committee also held a hearing on "United States Economic Assistance to Egypt: Does It Advance Reform?" Testimony was heard from David B. Gootnick, Director, International Affairs and Trade, GAO; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Subcommittee on Europe approved for full Committee action the following measures: H. Con. Res. 415, Urging the Government of Ukraine to ensure a democratic, transparent, and fair election process for the presidential election on October 31, 2004; and H. Res. 652, Urging the Government of the Republic of Belarus to ensure a democratic, transparent,

and fair election process for its parliamentary elections in the fall of 2004.

FAMILY MOVIE ACT

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held a hearing H.R. 4586, Family Movie Act of 2004. Testimony was heard from Marybeth Peters, Register of Copyrights, Library of Congress; and public witnesses.

OVERSIGHT—DETRIMENTAL IMPACT OF IMMIGRATION BACKLOG

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled "Families and Businesses in Limbo: The Detrimental Impact of the Immigration Backlog." Testimony was heard from Eduardo Aguirre, Director, Bureau of Citizenship and Immigration Services, Department of Homeland Security.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on the following bills: H.R. 3102, To utilize the expertise of New Mexico State University, the University of Arizona, and Northern Arizona University in conducting studies under the National Environmental Policy Act of 1969 in connection with grazing allotments and range and continuing range analysis for National Forest System lands in New Mexico and Arizona; H.R. 3427, Craig Recreation Land Purchase Act; H.R. 4494, Grey Towers National Historic Site Act of 2004; and S. 2003, To clarify the intent of Congress with respect to the continued use of established commercial outfitter hunting camps on the Salmon River. Testimony was heard from Representative Sherwood; Mark Rey, Under Secretary, Natural Resources and Environment, USDA; and public witnesses.

EXAMINE RULE X—ORGANIZATION OF COMMITTEES

Committee on Rules: Subcommittee on Technology and the House concluded hearings to examine Rule X, the Organization of Committees, including its current legislative impact, arrangement, and effectiveness. Testimony was heard from Representatives Goss, Sensenbrenner, Goodlatte, Stenholm, Barton of Texas, Dingell, Manzullo, Young of Alaska and Oberstar.

DEPARTMENT OF LABOR'S ENFORCEMENT AGAINST SMALL BUSINESSES

Committee on Small Business: Subcommittee on Regulatory Reform and Oversight held a hearing on Department of Labor's Enforcement Against Small Businesses. Testimony was heard from Robert Varnell, Deputy Solicitor, Department of Labor; and public witnesses.

DVA—EFFORTS TO ELIMINATE FRAUD, WASTE, ABUSE AND MISMANAGEMENT IN PROGRAMS

Committee on Veterans' Affairs: Held a hearing on efforts to identify and eliminate fraud, waste, abuse and mismanagement in programs administered by the Department of Veterans Affairs. Testimony was heard from the following officials of the Department of Veterans Affairs: Gordon H. Mansfield, Deputy Secretary; and Richard J. Griffin, Inspector General; McCoy Williams, Director, Financial Management and Assurance Team, GAO.

HEALTH CARE INFORMATION TECHNOLOGY

Committee on Ways and Means: Subcommittee on Health held a hearing on Health Care Information Technology. Testimony was heard from David Brailer, M.D., National Health Information Technology Coordinator, Department of Health and Human Services; Robert M. Kolodner, M.D., Acting Chief Health Informatics Officer and Deputy Chief Information Officer for Health, Department of Veterans Affairs; and public witnesses.

FAILURE TO PROTECT CHILD SAFETY

Committee on Ways and Means: Subcommittee on Human Resources held a hearing on Failure to Protect Child Safety. Testimony was heard from Christopher J. McCabe, Secretary, Department of Human Resources, State of Maryland; the following officials of the City of Baltimore: Floyd Blair, Interim Director, Department of Social Services; and Peter Beilenson, M.D., Commissioner of Health; and a public witness.

CUSTOMS BUDGET AUTHORIZATIONS AND OTHER CUSTOMS ISSUES

Committee on Ways and Means: Subcommittee on Trade held a hearing on Customs Budget Authorizations and Other Customs Issues. Testimony was heard from the following officials of the Department of Homeland Security: Robert C. Bonner, Commissioner, U.S. Customs and Border Protection; and Michael J. Garcia, Assistant Secretary, U.S. Immigration and Customs Enforcement; and public witnesses.

BRIEFING—COUNTERNARCOTICS: AFGHANISTAN

Permanent Select Committee on Intelligence: Subcommittee on Human Intelligence, Analysis, and Counterintelligence met in executive session to receive a briefing on Counternarcotics: Afghanistan. The Subcommittee was briefed by departmental witnesses.

BRIEFING—GLOBAL INTELLIGENCE UPDATE

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy and National Security met in executive session to receive a briefing on Global Intelligence Update. The Subcommittee was briefed by departmental witnesses.

Friday, June 18, 2004

Senate

Chamber Action

Routine Proceedings, pages 12967–98

Measures Introduced: Three bills and two resolutions were introduced, as follows: S. 2547–S. 2549, and S. Res. 383–384. **Page 12993**

Measures Reported: Report to accompany S.J. Res. 39, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003. (S. Rept. No. 108–281)

S. Res. 322, designating August 16, 2004, as "National Airborne Day".

S. Res. 357, designating the week of August 8 through August 14, 2004, as "National Health Center Week".

S. Res. 370, designating September 7, 2004, as "National Attention Deficit Disorder Awareness Day". **Page 12993**

Measures Passed:

Marine Turtle Conservation Act: Senate passed H.R. 3378, to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries, clearing the measure for the President. **Page 12997**

National Fund for Excellence in American Indian Education: Senate passed H.R. 3504, to amend the Indian Self-Determination and Education Assistance Act to redesignate the American Indian Education Foundation as the National Fund for Excellence in American Indian Education, clearing the measure for the President. **Page 12997**

Celebrating Fatherhood: Committee on the Judiciary was discharged from further consideration of S. Res. 379, protecting, promoting, and celebrating fatherhood, and the resolution was then agreed to. **Page 12997**

Commending Tampa Bay Lightning Hockey Team: Senate agreed to S. Res. 383, commending the National Hockey League Tampa Bay Lightning for winning the 2004 Stanley Cup Championship. **Page 12997**

National Defense Authorization Act: Senate continued consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, taking action on the following amendments proposed thereto: **Page 12968**

Adopted:

Durbin Amendment No. 3196, to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred. **Pages 12968, 12979**

Reid Modified Amendment No. 3297, to repeal the phase-in of concurrent payment of retired pay and veterans' disability compensation for veterans with a service-connected disability rated as 100 percent. **Page 12978**

Pending:

Bond Modified Amendment No. 3384, to include certain former nuclear weapons program workers in the Special Exposure Cohort under the Energy Employees Occupational Illness Compensation Program and to provide for the disposal of certain excess Department of Defense stocks for funds for that purpose. **Page 12968**

Brownback Amendment No. 3235, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language. **Page 12968**

Burns Amendment No. 3457 (to Amendment No. 3235), to provide for additional factors in indecency penalties issued by the Federal Communications Commission. **Page 12968**

Durbin Amendment No. 3225, to require certain dietary supplement manufacturers to report certain serious adverse events. **Page 12971**

Lautenberg Amendment No. 3291, to require a protocol on media coverage of the return to the United States of the remains of members of the Armed Forces who are killed overseas. **Page 12972**

Warner Amendment No. 3458 (to Amendment No. 3291), to propose a substitute expressing the sense of Congress on media coverage of the return to the United States of the remains of deceased members of the Armed Forces from overseas. **Page 12973**

Reed Amendment No. 3353, to limit the obligation and expenditure of funds for the Ground-based Midcourse Defense program pending the submission of a report on operational test and evaluation. **Page 12975**

A unanimous-consent agreement was reached providing for further consideration of the bill at 1 p.m., on Monday, June 21, 2004. **Page 12998**

Messages From the House: **Page 12993**

Additional Cosponsors: **Page 12993**

Statements on Introduced Bills/Resolutions: **Page 12994**

Additional Statements: **Page 12992**

Amendments Submitted: **Page 12995**

Notices of Hearings/Meetings: **Page 12997**

Privilege of the Floor: **Page 12997**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 2:26 p.m., until 1 p.m., on Monday, June 21,

2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 12998.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 4612, 4615–4624; and 3 resolutions, H.J. Res. 98; H. Con. Res. 457, and H. Res. 682, were introduced. **Page 13071**

Additional Cosponsors: **Page 13072**

Reports Filed: Reports were filed today as follows:

H.R. 4613, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005 (H. Rept. 108–553);

H.R. 4614, making appropriations for energy and water development for the fical year ending September 30, 2005 (H. Rept. 108–554); and

H.R. 3706, to adjust the boundary of the John Muir National Historic Site (H. Rept. 108–555). **Page 13071**

Department of Homeland Security Appropriations Act for Fiscal Year 2005—Rule: The House passed H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, by a yea-and-nay vote of 400 yeas to 5 nays, Roll No. 275. The bill was also considered on Thursday, June 17. **Page 13000**

Agreed to:

Sabo amendment that requires that funding for the Information Analysis and Infrastructure Analysis Directorate be made available for reviewing chemical plant vulnerability assessments and security plans required by the department; **Page 13004**

Ryun of Kansas amendment (no. 23, printed in the Congressional Record of June 16) that prohibits the use of funds to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act; and **Page 13026**

Roybal-Allard amendment (no. 1, printed in the Congressional Record of June 15) that prohibits the use of funds to process or approve a competition by employees of the Bureau of Citizenship and Immigration Services of the Department of Homeland Security who are known as Immigration Information Officers, Contact Representatives, or Investigative Assistants (by a recorded vote of 242 ayes to 163 noes, Roll No. 269). **Pages 13021, 13045**

Rejected:

Jackson-Lee of Texas amendment (no. 19, printed in the Congressional Record of June 16) that sought to increase funding for the Citizens Corps program; **Page 13000**

Jackson-Lee of Texas amendment that sought to increase funding for science and technology research, development, test and evaluation, acquisition, and operations (by a recorded vote of 137 ayes to 269 noes, Roll No. 267); **Pages 13004, 13044**

DeLauro amendment that sought to prohibit the use of funds to issue an order under a task and delivery order contract to entities not in compliance with sec. 835 of P.L. 107–296 (by a recorded vote of 182 ayes to 221 noes, Roll No. 268) (agreed by unanimous consent to limit time of debate on the amendment, equally divided and controlled); **Pages 13014, 13044**

Tancredo amendment that sought to prohibit funds from being used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (by a recorded vote of 148 ayes to 259 noes, Roll No. 270) (agreed by unanimous consent to limit the time for debate on the amendment); **Pages 13026, 13046**

Maloney amendment (no. 9, printed in the Congressional Record of June 15) that sought to limit the number of grants available under the Urban Area Security Initiative (by a recorded vote of 113 ayes to 292 noes, Roll No. 271); **Pages 13030, 13046**

Sabo amendment that sought to require the Privacy Officer of the Department of Homeland Security to conduct privacy impact assessments of proposed rules as authorized by the Homeland Security Act of 2002 (by a recorded vote of 199 ayes to 205 noes, Roll No. 272); **Pages 13032, 13047**

Markey amendment (no. 10, printed in the Congressional Record of June 15) that sought to prohibit the use of funds to approve, renew, or implement any aviation cargo security plan that permits the transporting of unscreened or uninspected cargo on passenger planes (by a recorded vote of 191 ayes to 211 noes, Roll No. 273) (agreed by unanimous consent to limit the time for debate on the amendment); and **Pages 13035, 13048**

Velázquez amendment that sought to prohibit the use of funds to enter into statewide contracts for security guard services (by a recorded vote of 201 ayes to 205 noes, Roll No. 274). **Pages 13042, 13049**

Withdrawn:

Loretta Sanchez of California amendment that was offered and subsequently withdrawn that would have directed the Office for State and Local Government Coordination and Preparedness to ensure that States disburse grant funds obligated to a local government by not later than 15 days after receipt of an invoice for an authorized outlay by the local government; **Page 13002**

Millender-McDonald amendment that was offered and subsequently withdrawn, that would have increased funding for port security grants; and **Page 13010**

King of Iowa amendment that was offered and subsequently withdrawn that would have reduced overall funding appropriated in the Act. **Page 13041**

Point of Order sustained against:

Section of the bill on page 31, lines 11–15 regarding pre-disaster grant award allocations; **Page 13003**

Section 524 of the bill, page 47, lines 6 through 13, regarding review and certification of Computer Assisted Passenger Prescreening System; **Page 13008**

Sections 512(b) and (c) regarding the Buy American Act; 514 regarding the sale of property by the Department of Homeland Security; and 525 regarding the use of funds for reviewing or altering reports directed to be submitted to the Committees on Appropriations; **Page 13008**

Section 526(b) regarding the prohibition on orders under task and delivery order contracts; **Page 13009**

Filner amendment that sought to amend the Immigration and Nationality Act; **Page 13032**

Obey amendment that sought to provide funds necessary to support operations to improve the security of our homeland due to the global war on terrorism; **Page 13033**

Turner amendment (no. 22, printed in the Congressional Record of June 16) that sought to provide funding for additional expenses that are related to procurement, installation or operation of radiation portal monitoring technology; and **Page 13035**

Sherman amendment (no. 13, printed in the Congressional Record of June 16) that sought to prohibit the use of funds for processing the importation of an article that is a product of Iran. **Page 13041**

H. Res. 675, the rule providing for consideration of the bill was agreed to on Wednesday, June 16.

Canada-United States Interparliamentary Group: The Chair announced the Speaker's appointment of Representatives Houghton (Chairman), Dreier, Shaw, Stearns, Manzullo, Smith (MI), English, Souder, and Tancredo to the United States Delegation of the Canada-United States Interparliamentary Group. **Page 13054**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, June 23. **Page 13053**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12:30 p.m. on Monday, June 21, for Morning Hour debate. **Page 13053**

Quorum Calls—Votes: One yea-and-nay vote and eight recorded votes developed during the proceedings of today and appear on pages 13044–49. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 7:08 p.m.

Committee Meetings

No committee meetings were held.

♦♦♦♦♦♦♦♦♦♦♦♦

Monday, June 21, 2004

Senate

Chamber Action

Routine Proceedings, pages 13117–73

Measures Introduced: Five bills and two resolutions were introduced, as follows:

S. 2550–2554, and S. Res. 385–386. **Page 13161**

Measures Reported:

S. 1292, to establish a servitude and emancipation archival research clearinghouse in the National Archives, with amendments. (S. Rept. No. 108–282)

S. 2322, to amend chapter 90 of title 5, United States Code, to include employees of the District of Columbia courts as participants in long term care insurance for Federal employees. (S. Rept. No. 108–283) **Page 13161**

Measures Passed:

Recognizing Civil Rights Act: Senate agreed to S. Res. 385, recognizing and honoring the 40th anniversary of congressional passage of the Civil Rights Act of 1964. **Page 13171**

Recognizing Civil Rights Organizers: Senate agreed to S. Res. 386, recognizing the 40th anniversary of June 21, 1964, and the day civil rights organizers Andrew Goodman, James Chaney, and Michael Schwerner gave their lives in the struggle to guarantee the right to vote for every citizen of the United States, and encouraging all Americans to observe the anniversary of the deaths of the 3 men by committing themselves to ensuring equal rights, equal opportunities, and equal justice for all people. **Page 13171**

Naval Complex Transfer: Senate passed H.R. 4322, to provide for the transfer of the Nebraska Avenue Naval Complex in the District of Columbia to facilitate the establishment of the headquarters for the Department of Homeland Security, to provide for the acquisition by the Department of the Navy of suitable replacement facilities, clearing the measure for the President. **Page 13172**

Technical Correction: Senate agreed to H. Con. Res. 458, directing the Secretary of the Senate to make technical corrections in the enrollment of the bill S. 2238. **Page 13173**

National Defense Authorization Act: Senate resumed consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department

of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, taking action on the following amendments proposed thereto: **Page 13118**

Adopted:

By 52 yeas to 38 nays (Vote No. 131), Warner Modified Amendment No. 3458, expressing the sense of Congress on media coverage of the return to the United States of the remains of deceased members of the Armed Forces from overseas. **Page 13145**

Rejected:

By 39 yeas to 54 nays (Vote No. 132), Lautenberg Modified Amendment No. 3291, to require a protocol on media coverage of the return to the United States of the remains of members of the Armed Forces who are killed overseas. **Pages 13119, 13146**

Withdrawn:

Durbin Amendment No. 3463 (to Amendment No. 3225), to require certain dietary supplement manufacturers to report certain serious adverse events. **Page 13139**

Harkin/Hatch Amendment No. 3462 (to Amendment No. 3225), to express the sense of the Senate concerning legislation requiring reports of serious adverse events related to dietary supplements and over-the-counter drugs. **Pages 13132, 13134**

Durbin Amendment No. 3225, to require certain dietary supplement manufacturers to report certain serious adverse events. **Pages 13134, 13142**

Pending:

Bond Modified Amendment No. 3384, to include certain former nuclear weapons program workers in the Special Exposure Cohort under the Energy Employees Occupational Illness Compensation Program and to provide for the disposal of certain excess Department of Defense stocks for funds for that purpose.

Brownback Amendment No. 3235, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language. **Page 13118**

Burns Amendment No. 3457 (to Amendment No. 3235), to provide for additional factors in indecency penalties issued by the Federal Communications Commission. **Page 13118**

Reed Amendment No. 3353, to limit the obligation and expenditure of funds for the Ground-based Midcourse Defense program pending the submission of a report on operational test and evaluation. **Page 13118**

Bingaman Amendment No. 3459, to require reports on the detainment of foreign nationals by the Department of Defense and on Department of Defense investigations of allegations of violations of the Geneva Convention. **Page 13123**

Warner Amendment No. 3460 (to Amendment No. 3459), in the nature of a substitute. **Page 13125**

Dayton/Feingold Amendment No. 3197, to strike sections 842 relative to a conforming standard for waiver of domestic source or content requirement and 843 relative to the consistency with United States obligations under trade agreements. **Page 13127**

Warner (for McCain) Amendment No. 3461 (to the language proposed to be stricken by Amendment No. 3197), in the nature of a substitute. **Page 13128**

Feingold Modified Amendment No. 3288, to rename and modify the authorities relating to the Inspector General of the Coalition Provisional Authority. **Page 13143**

Landrieu/Snowe Amendment No. 3315, to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, and to provide for a one-year open season under that plan. **Page 13147**

Levin Amendment No. 3338, to reallocate funds for Ground-based Midcourse interceptors to homeland defense and combatting terrorism. **Page 13149**

A modified unanimous-consent agreement was reached providing that all first-degree amendments be offered no later than 6:30 p.m. on Tuesday, June 22, 2004, with the exception of amendments agreed to by the Chairman and Ranking Member; further, that when the Senate continues consideration of the bill on Tuesday, June 22, 2004, there be 60 minutes of debate equally divided in relation to Levin Amendment No. 3338 (listed above), to be followed by a vote on, or in relation to that amendment; following that vote, Senate resume consideration of Brownback Amendment No. 3225 (listed above), and that Burns Amendment No. 3457 (listed above) then be agreed to; that Senator Brownback, or his designee, be recognized to offer a further second-degree amendment, to be followed by a vote on or in relation to that amendment; following that vote, Senator Dorgan, or his designee, be recognized to offer a further second-degree amendment on media ownership, and the amendment then be agreed to; that Senator Hollings, or his designee, be recognized to offer an amendment on children's programming, and the amendment then be agreed to; and that the Brownback underlying amendment then be agreed to, as amended. **Page 13173**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:45 a.m., on Tuesday, June 22, 2004. **Page 13173**

Messages From the House: **Page 13159**

Measures Referred: **Page 13160**

Measures Placed on Calendar: **Page 13160**

Executive Communications: **Page 13160**

Additional Cosponsors: **Page 13162**

Statements on Introduced Bills/Resolutions: **Page 13163**

Additional Statements: **Page 13158**

Amendments Submitted: Page 13169

Authority for Committees to Meet: Page 13171

Privilege of the Floor: Page 13171

Record Votes: Two record votes were taken today. (Total—132) Pages 13146–47

Adjournment: Senate convened at 1 p.m., and adjourned at 8:49 p.m., until 9:45 a.m., on Tuesday, June 22, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 13173.)

Committee Meetings

NOMINATIONS

Committee on Foreign Relations: On Thursday, June 17, Committee concluded a hearing to examine the nominations of Anne W. Patterson, of Virginia, to be U.S. Deputy Representative to the United Nations, with the rank and status of Ambassador, and the U.S. Deputy Representative in the Security Council of the United Nations, and to be a U.S. Representative to the Sessions of the General Assembly of the United Nations, and James B. Cunningham, of Pennsylvania, to be U.S. Representative to the Vienna Office of the United Nations, with the rank of Ambassador, and to be U.S. Representative to the International Atomic Energy Agency, with the rank of Ambassador, after each nominee testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: On Thursday, June 17, Committee concluded a hearing to examine the nomination of John C. Danforth, of Missouri, to be U.S. Representative to the United Nations with the rank of Ambassador; and to be U.S. Representative in the Security Council of the United Nations; and to be U.S. Representative to the Sessions of the General Assembly of the United Nations during his tenure of service as U.S. Representative to the United Nations, after the nominee, who was introduced by Senators Bond and Talent, and former Senator Eagleton, testified and answered questions in his own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Douglas L. McElhaney, of Florida, to be Ambassador to Bosnia and Herzegovina, and Aldona Wos, of North Carolina, to be Ambassador to the Republic of Estonia, who was introduced by Senator Dole, after each nominee testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Charles Graves Untermeyer, of Texas, to be Ambassador to the State of Qatar, who was introduced by Senators Hutchison and Cornyn, and William T. Monroe, of Virginia, to be Ambassador to the Kingdom of Bahrain, after each nominee testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Measures Introduced: 8 public bills, H.R. 4625–4632; and; 5 resolutions, H.J. Res. 99–100; H. Con. Res. 458–459, and H. Res. 684, were introduced. Page 13239

Additional Cosponsors: Page 13240

Reports Filed: Reports were filed today as follows:

H.R. 3266, to authorize the Secretary of Homeland Security to make grants to first responders, amended (H. Rept. 108–460, Pts. 3 and 4);

H.R. 3742, to designate the United States courthouse and post office building located at 93 Atocha Street in Ponce, Puerto Rico, as the "Luis A. Ferre United States Courthouse and Post Office Building" (H. Rept. 108–556);

H.R. 3884, to designate the Federal building and United States courthouse located at 615 East Houston Street in San Antonio, Texas, as the "Hipolito F. Garcia Federal Building and United States Courthouse" (H. Rept. 108–557);

H.R. 4548, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, amended (H. Rept. 108–558); and

H. Res. 683, providing for consideration of H.R. 4613, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005 (H. Rept. 108–559). Page 13239

Speaker: Read a letter from the Speaker wherein he appointed Representative Renzi to act as Speaker Pro Tempore for today. Page 13174

Recess: The House recessed at 12:43 p.m. and reconvened at 2 p.m. Page 13175

Suspensions: The House agreed to suspend the rules and pass the following measures:

Expressing the gratitude of the House for the contributions of America's community banks: H. Res. 591, expressing the gratitude of the House of Representatives for the contributions made by America's community banks to the Nation's economic well-being and prosperity and the sense of the House of Representatives that a month should be designated as "Community Banking Month", by a ⅔ yea-and-nay vote of 364 yeas with none voting "nay", Roll No. 276; Pages 13176, 13207

Homeownership Opportunities for Native Americans Act of 2004: H.R. 4471, to clarify the loan guarantee authority under title VI of the Native American Housing Assistance and Self-Determination Act of 1996;

Page 13177

Helping Hands for Homeownership Act of 2004: H.R. 4363, amended, to facilitate self-help housing home ownership opportunities, by a ⅔ yea-and-nay vote of 368 yeas with none voting "nay", Roll No. 277;

Pages 13179, 13208

Flood Insurance Reform Act of 2004: S. 2238, to amend the National Flood Insurance Act of 1968 to reduce loses to properties for which repetitive flood insurance claim payments have been made—clearing the measure for the President; **Page 13181**

Requiring the Office of Personnel Management to present options for providing dental and vision benefits to Federal employees: H.R. 3751, amended, to require that the Office of Personnel Management study and present options under which dental and vision benefits could be made available to Federal employees and retirees and other appropriate classes of individuals; **Page 13190**

Agreed to amend the title so as to read: to require that the Office of Personnel Management study current practices under which dental, vision, and hearing benefits are made available to Federal employees, annuitants, and other classes of individuals, and to require that the Office also present options and recommendations relating to how additional dental, vision, and hearing benefits could be made so available. **Page 13191**

2004 District of Columbia Omnibus Authorization Act: H.R. 3797, to authorize improvements in the operations of the government of the District of Columbia;

Page 13191

Newell George Post Office Building Designation Act: H.R. 4222, to designate the facility of the United States Postal Service located at 550 Nebraska Avenue in Kansas City, Kansas, as the "Newell George Post Office Building"; **Page 13194**

Recognizing the 40th anniversary of the deaths of Andrew Goodman, James Chaney, and Michael Schwerner: H. Con. Res. 450, recognizing the 40th anniversary of the day civil rights organizers Andrew Goodman, James Chaney, and Michael Schwerner gave their lives in the struggle to guarantee the right to vote for every citizen of the United States and encouraging all Americans to observe the anniversary of the deaths of the 3 men by committing themselves to ensuring equal rights, equal opportunities, and equal justice for all people; **Page 13195**

Congratulating Randy Johnson of the Arizona Diamondbacks on pitching a perfect game on May 18, 2004: H. Res. 660, congratulating Randy Johnson of the Arizona Diamondbacks on pitching a perfect game on May 18, 2004, by a ⅔ yea-and-nay vote of 367 yeas with none voting "nay", Roll No. 278; **Pages 13198, 13208**

Congratulating the Detroit Pistons on winning the 2004 NBA Championship: H. Res. 679, congratulating the Detroit Pistons on winning the 2004 National Basketball Association Championship; **Page 13199**

Western Shoshone Claims Distribution Act: H.R. 884, amended, to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326–A–1, 326–A–3, and 326–K; **Page 13202**

Tribal Forest Protection Act of 2004: H.R. 3846, amended, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into an agreement or contract with Indian tribes meeting certain criteria to carry out projects to protect Indian forest land;

Page 13204

Amending the Bend Pine Nursery Land Conveyance Act: S. 1848, to amend the Bend Pine Nursery Land Conveyance Act to direct the Secretary of Agriculture to sell the Bend Pine Nursery Administration Site in the State of Oregon clearing the measure for the President; and **Page 13205**

John Muir National Historic Site Boundary Adjustment Act: H.R. 3706, to adjust the boundary of the John Muir National Historic Site. **Page 13206**

Flood Insurance Reform Act of 2004—Technical Correction: The House agreed to H. Con. Res. 458, directing the Secretary of the Senate to make technical corrections in the enrollment of the bill S. 2238. **Page 13190**

Recess: The House recessed at 3:48 p.m. and reconvened at 6:30 p.m. **Page 13207**

Amendments: Amendments ordered printed pursuant to the rule appear on page 13241.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages 13207–09. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:34 p.m.

Committee Meetings

DEPARTMENT OF DEFENSE APPROPRIATIONS FISCAL YEAR 2005

Committee on Rules: Granted, by voice vote, an open rule providing one hour of general debate on H.R. 4613, Department of Defense Appropriations Act, 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule provides that the amendment printed in the Rules Committee report shall be considered as adopted in the House and in the Committee of the Whole.

Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill). The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule provides one motion to recommit with or without instructions. Section 2 of the resolution provides that upon the adoption of the resolution it shall be in order, any rule of the House to the contrary notwithstanding, to consider concurrent resolutions providing for adjournment of the House and Senate during the month of July. Testimony was heard from Representatives Lewis of California, Murtha, and Kaptur.

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Tuesday, June 22, 2004

Senate

Chamber Action

Routine Proceedings, pages 13373–13455

Measures Introduced: Six bills and two resolutions were introduced, as follows: S. 2555–2560, and S. Res. 387–388. **Page 13431**

Measures Reported:

S. 2559, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005. **Page 13431**

Measures Passed:

TANF and Related Programs Continuation Act: Senate passed H.R. 4589, to authorize the Temporary Assistance for Needy Families block grant program through September 30, 2004, clearing the measure for the President. **Page 13453**

Hong Kong: Senate passed S.J. Res. 33, expressing support for freedom in Hong Kong, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 13453**

Frist (for Feinstein) Amendment No. 3473, to express support for democratic activity in Hong Kong. **Page 13454**

National Defense Authorization Act: Senate continued consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, taking action on the following amendments proposed thereto: **Page 13375**

Adopted:

Burns/Ensign Modified Amendment No. 3457 (to Amendment No. 3235), to provide for consideration of additional factors in indecency penalties issued by the Federal Communications Commission. **Pages 13376, 13383**

By 99 yeas to 1 nay (Vote No. 134), Brownback Amendment No. 3464 (to Amendment No. 3235), to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language. **Page 13385**

Reid (for Dorgan) Amendment No. 3465 (to Amendment No. 3235), to increase FCC's authority to fine for indecent broadcasts and prevent further relaxation of the media ownership rules in order to stem the rise of indecent programming. **Page 13386**

Reid (for Hollings) Amendment No. 3466 (to Amendment No. 3235), to protect children from violent programming. **Page 13386**

Brownback Amendment No. 3235, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language. **Page 13386**

By 54 yeas to 46 nays (Vote No. 135), Warner (for McCain) Amendment No. 3461 (to the language proposed to be stricken by Amendment No. 3197), in the nature of a substitute. **Page 13386**

Levin (for Daschle) Modified Amendment No. 3329, to increase amounts provided under the Defense Health Program and RDT&E for the Army for research and development relating to leishmaniasis, the skin ailment resulting from parasitic sand flies in Iraq, and to provide an offset. **Page 13409**

Warner Modified Amendment No. 3433, to authorize, and authorize the appropriations of, $5,500,000 for military construction at F.E. Warren Air Force Base, Wyoming, and to provide an offset. **Page 13410**

Levin (for Nelson (FL)) Modified Amendment No. 3234, to make available, from amounts for operation and maintenance for the Army, $10,000,000 for the Family Readiness Program of the National Guard, and to provide an offset. **Page 13410**

Warner Amendment No. 3430, to improve authorities under the alternative authority for acquisition and improvement of military housing. **Page 13413**

Warner (for Chambliss) Amendment No. 3293, to require a GAO analysis of the potential for using transitional benefit corporations in connection with competitive sourcing of the performance of activities and functions of the Department of Defense. **Page 13413**

Levin (for Dayton) Modified Amendment No. 3333, to require a periodic detailed accounting of costs and expenditures for Operation Iraqi Freedom, Operation Enduring Freedom, and all other operations relating to the Global War on Terrorism. **Page 13415**

Warner Amendment No. 3471, to increase the amount for RDT&E, Defense-Wide, to provide for joint threat warning system maritime variants, and to provide an offset. **Page 13410**

Levin (for Kennedy) Modified Amendment No. 3289, to provide an additional amount for the Department of Defense One Source counseling and referral hotline, and to provide an offset. **Page 13410**

Warner (for Lott/Cochran) Modified Amendment No. 3179, to set aside $3,000,000 of the RDT&E, Navy, funds for development and testing of the Advanced Ferrite Antenna. **Page 13410**

Levin (for Reed) Modified Amendment No. 3351, to increase by $5,000,000 the amount authorized to be appropriated for research, development, test, and evaluation, Navy, and to allocate the amount of the increase for Program Element PE 0604503N for a prototype littoral array system for operating submarines, and to provide an offset. **Page 13410**

Warner (for Santorum) Modified Amendment No. 3239, to increase by $5,000,000 the amount authorized to be appropriated for fiscal year 2005 for the Army for procurement for weapons and tracked combat vehicles for the purpose of procuring M109-based command-and-control vehicles or field artillery ammunition support vehicles. **Page 13410**

Levin (for Pryor) Modified Amendment No. 3264, to recognize the sacrifices of the members of the Armed Forces who are injured in combat. **Page 13410**

Levin (for Bayh) Modified Amendment No. 3157, to authorize an additional $2,000,000 for research, development, test, and evaluation, Defense-wide activities, for Advanced Manufacturing Technologies, and $3,000,000 for research, development, test, and evaluation, Defense-wide activities, for radiation casualty research, and to provide an offset for the amounts. **Pages 13409, 13410**

Warner Amendment No. 3429, to provide exceptions to the bilateral agreement requirement for transfers of defense items to the United Kingdom and Australia. **Page 13411**

Levin (for Daschle/Frist) Modified Amendment No. 3327, to require a report on establishing national centers of excellence for unmanned aerial and ground vehicles. **Page 13412**

Warner Modified Amendment No. 3431, to provide authority to transfer naval vessels to certain foreign countries. **Page 13412**

Levin Modified Amendment No. 3337, to require a report on the post-major combat operations phase of Operation Iraqi Freedom. **Page 13412**

Levin (for Boxer) Amendment No. 3367, to amend title 10, United States Code, to exempt abortions of pregnancies in cases of rape and incest from a limitation on use of Department of Defense funds. **Page 13413**

Warner (for Inhofe) Modified Amendment No. 3198, to increase the amount of assistance authorized to be provided by the Secretary of Defense to Iraq and Afghanistan military or security forces during fiscal year 2005. **Page 13413**

Levin (for Graham (FL)) Modified Amendment No. 3365, to authorize a pilot program on cryptologic service training. **Page 13413**

Levin (for Feingold) Modified Amendment No. 3399, to require the Comptroller General to conduct a study of transition assistance provided for members of the Armed Forces being discharged or released from active duty; to require a related study; and to add to the content of preseparation counseling for the members. **Page 13414**

Warner (for Ensign) Modified Amendment No. 3325, to extend to current Javits-Wagner-O'Day Act contracts for the operation of military dining facilities a limitation on the applicability of the Randolph-Sheppard Act to the operation of such facilities. **Page 13415**

Levin (for Clinton) Modified Amendment No. 3204, to require a Comptroller General report on closure of Department of Defense dependent elementary and secondary schools and commissary stores. **Page 13415**

Warner (for McCain) Modified Amendment No. 3441, to impose limitations and requirements for the acquisition of aerial refueling aircraft for the Air Force. **Page 13415**

Warner (for McCain) Amendment No. 3319, to repeal certain requirements and limitations relating to the defense industrial base. **Page 13416**

Levin Amendment No. 3339, to modify the priority afforded applications for national defense tank vessel construction assistance. **Page 13416**

Rejected:

By 44 yeas to 56 nays (Vote No. 133), Levin Amendment No. 3338, to reallocate funds for Ground-based Midcourse interceptors to homeland defense and combatting terrorism. **Page 13376**

Withdrawn:

Reid Amendment No. 3469 (to Amendment No. 3387), to direct the Attorney General to submit to the Committee on the Judiciary of the Senate all documents in the possession of the Department of Justice relating to the treatment and interrogation of individuals held in the custody of the United States. **Page 13394**

Pending:

Bond Modified Amendment No. 3384, to include certain former nuclear weapons program workers in the Special Exposure Cohort under the Energy Employees Occupational Illness Compensation Program and to provide for the disposal of certain excess Department of Defense stocks for funds for that purpose. **Page 13376**

Reed Amendment No. 3353, to limit the obligation and expenditure of funds for the Ground-based Midcourse Defense program pending the submission of a report on operational test and evaluation. **Page 13376**

Bingaman Amendment No. 3459, to require reports on the detainment of foreign nationals by the Department of

Defense and on Department of Defense investigations of allegations of violations of the Geneva Convention. **Page 13376**

Warner Amendment No. 3460 (to Amendment No. 3459), in the nature of a substitute. **Page 13376**

Feingold Modified Amendment No. 3288, to rename and modify the authorities relating to the Inspector General of the Coalition Provisional Authority. **Page 13376**

Landrieu/Snowe Amendment No. 3315, to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, and to provide for a one-year open season under that plan. **Page 13376**

Reid (for Daschle) Amendment No. 3409, to assure that funding is provided for veterans' health care each fiscal year to cover increases in population and inflation. **Pages 13384, 13390**

Ensign Amendment No. 3467 (to Amendment No. 3315), to provide a fiscally responsible open enrollment authority. **Page 13390**

Daschle Amendment No. 3468 (to Amendment No. 3409), to assure that funding is provided for veterans' health care each fiscal year to cover increases in population and inflation. **Page 13391**

Reid (for Akaka) Amendment No. 3414, to provide for fellowships for students to enter Federal service. **Page 13394**

Reid (for Leahy) Amendment No. 3387, relative to the treatment of foreign prisoners. **Page 13394**

Warner (for Lott) Amendment No. 3220, to repeal the authority of the Secretary of Defense to recommend that installations be placed in inactive status as part of the recommendations of the Secretary during the 2005 round of defense base closure and realignment.

Warner (for Bennett/Hatch) Amendment No. 3373, to provide for the protection of the Utah Test and Training Range.

Warner (for Bennett) Amendment No. 3403, to prohibit a full-scale underground nuclear test of the Robust Nuclear Earth Penetrator weapon without a specific authorization of Congress.

Warner (for Inhofe) Amendment No. 3280, to reauthorize energy saving performance contracts.

Warner (for McCain) Amendment No. 3442, to impose requirements for the leasing of aerial refueling aircraft for the Air Force.

Warner (for McCain) Amendment No. 3443, to impose requirements for the aerial refueling aircraft program of the Air Force.

Warner (for McCain) Amendment No. 3444, to restrict leasing of aerial refueling aircraft by the Air Force.

Warner (for McCain) Amendment No. 3445, to prohibit the leasing of Boeing 767 aircraft by the Air Force.

Levin (for Biden/Lugar) Amendment No. 3378, to provide certain authorities, requirements, and limitations on foreign assistance and arms exports. **Page 13409**

Levin (for Byrd) Amendment No. 3423, to modify the number of military personnel and civilians who may be assigned or retained in connection with Plan Colombia. **Page 13409**

Levin (for Byrd) Amendment No. 3286, to restrict acceptance of compensation for contractor employment of certain executive branch policymakers after termination of service in the positions to which appointed. **Page 13409**

Levin (for Corzine) Amendment No. 3303, to amend title 10, United States Code, to reduce the age for receipt of military retired pay for nonregular service from 60 to 55. **Page 13409**

Levin (for Daschle) Amendment No. 3328, to require the Secretary of the Air Force to maintain 3 additional B–1 bomber aircraft, in addition to the current fleet of 67 B–1 bomber aircraft, as an attrition reserve for the B–1 bomber aircraft fleet. **Page 13409**

Levin (for Daschle) Amendment No. 3330, to authorize the provision to Indian tribes of excess nonlethal supplies of the Department of Defense. **Page 13409**

Levin (for Dayton) Amendment No. 3203, to require a periodic detailed accounting of costs and expenditures for Operation Iraqi Freedom, Operation Enduring Freedom, and all other operations relating to the Global War on Terrorism. **Page 13409**

Levin (for Dodd) Amendment No. 3311, relating to the imposition by the Department of Defense of offsets against certain contractors. **Page 13409**

Levin (for Dodd) Amendment No. 3310, to amend the Federal Law Enforcement Pay Reform Act of 1990 to adjust the percentage differentials payable to the Federal law enforcement officers in certain high-cost areas. **Page 13409**

Levin (for Feingold) Amendment No. 3400, to enable military family members to take leave to attend to deployment-related business and tasks. **Pages 13400, 13409**

Levin (for Graham (FL)) Amendment No. 3300, to amend the Haitian Refugee Immigration Fairness Act of 1998. **Page 13409**

Levin (for Leahy) Amendment No. 3388, to obtain a full accounting of the programs and activities of the Iraqi National Congress. **Page 13409**

Levin Amendment No. 3336, to authorize the demolition of facilities and improvements on certain military installations approved for closure under the defense base closure and realignment process. **Page 13409**

Levin (for Kennedy) Amendment No. 3201, to assist school districts serving large numbers or percentages of military dependent children affected by the war in Iraq or Afghanistan, or by other Department of Defense personnel decisions. **Page 13409**

Levin (for Kennedy) Amendment No. 3377, to require reports on the efforts of the President to stabilize Iraq and relieve the burden on members of the Armed Forces of the United States deployed in Iraq and the Persian Gulf region. **Pages 13397, 13409**

Levin (for Reed/Kohl) Amendment No. 3355, to ensure the soundness of defense supply chains through the support of Manufacturing Extension Partnership centers that improve the productivity and competitiveness of small manufacturers; and to clarify the fiscal year 2004 funding level for a National Institute of Standards and Technology account. Page 13409

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, June 22, 2004. Page 13419

A unanimous-consent-time agreement was reached providing for the consideration of the following amendments at 9:30 a.m., on Wednesday, June 23, 2004: Corzine Amendment No. 3303 for 30 minutes; Byrd Amendment No. 3423 for 20 minutes; McConnell Amendment relative to the Iraq report and Kennedy Amendment No. 3377 for a total of 30 minutes; and Reed Amendment No. 3353 for 20 minutes; following which, Senate will proceed to a series of consecutive votes in relation to these amendments, with no second-degree amendments in order prior to the votes. Page 13454

During consideration of this measure today, Senate also took the following action:

Under Senate precedent, Dayton/Feingold Modified Amendment No. 3197, to strike section 842, relative to a conforming standard for waiver of domestic source or content requirement, was rendered moot, when Warner (for McCain) Amendment No. 3461 (to the language proposed to be stricken by Amendment No. 3197) listed above, was agreed to. Page 13390

Sessions Amendment No. 3371, to provide for increased support of survivors of deceased members of the uniformed services, previously agreed to on June 17, 2004, was modified Page 13416

Bunning (for McConnell/Bunning) Modified Amendment No. 3438, to strike the funding offset for the coverage under the Energy Employee Occupational Illness Compensation Program of atomic weapons employees employed as facilities during period of residual contamination, previously agreed to on June 16, 2004, was further modified. Page 13417

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the President's report to Congress concerning the Secretary of Commerce's certification under section 8 of the Fisherman's Protective Act of 1967, as amended (the "Pelly Amendment") (22 U.S.C. 1978) that Iceland has conducted whaling activities that diminish the effectiveness of the International Whaling Commission (IWC) conservation program; which was referred to the Committee on Commerce, Science, and Transportation. (PM–88) Page 13426

Messages From the House: Page 13426

Measures Referred: Page 13426

Measures Placed on Calendar: Page 13427

Executive Communications: Page 13431

Executive Reports of Committees: Page 13427

Additional Cosponsors: Page 13432

Statements on Introduced Bills/Resolutions: Page 13433

Additional Statements: Page 13423

Amendments Submitted: Page 13448

Notices of Hearings/Meetings: Page 13452

Authority for Committees to Meet: Page 13452

Record Votes: Three record votes were taken today. (Total—135) Pages 13384, 13385, 13390

Recess: Senate convened at 9:47 a.m., and recessed at 9:58 p.m., until 9:30 a.m., on Wednesday, June 23, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 13455.)

Committee Meetings

DC STRUCTURAL IMBALANCE

Committee on Appropriations: Subcommittee on District of Columbia concluded a hearing to examine the structural imbalance of the District of Columbia, focusing on the gap between the ability of the government of the District of Columbia to raise revenue at reasonable tax rates and its ability to provide services of reasonable quality to its residents, after receiving testimony from Representative Tom Davis; District of Columbia Delegate Norton; former Senator Fred Thompson, on behalf of the Federal City Council, Patricia Dalton, Associate Director, General Accounting Office; Mayor Anthony A. Williams, Alice Rivlin, Brookings Institution, Ted Trabue, Greater Washington Board of Trade, and Stephen Trachtenberg, D.C. Chamber of Commerce, all of Washington, D.C.

APPROPRIATIONS: DEPARTMENT OF DEFENSE

Committee on Appropriations: Committee ordered favorably reported an original bill (S. 2559), making appropriations for the Department of Defense for the fiscal year ending September 30, 2005.

APPROPRIATIONS: DEPARTMENT OF DEFENSE

Committee on Appropriations: Subcommittee on Defense approved for full Committee consideration an original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2005.

REGULATORY REFORM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine regulatory reform proposals, after receiving testimony from Senators Landrieu and Lincoln; Donald L. Kohn, Member, Board of Governors of the Federal Reserve System; John M. Reich, Vice Chairman, Federal Deposit Insurance Cor-

poration; JoAnn Johnson, Chairman, National Credit Union Administration; Julie L. Williams, First Senior Deputy Comptroller and Chief Counsel, Office of the Comptroller of the Currency, John E. Bowman, Chief Counsel, Office of Thrift Supervision, both of the Department of the Treasury; John S. Allison, Mississippi Commissioner of Banking and Consumer Finance, Jackson, on behalf of the Conference of State Bank Supervisors; Roger W. Little, Michigan Office of Financial and Insurance Services, Lansing, on behalf of the National Association of State Credit Union Supervisors; Mark E. Macomber, Litchfield Bancorp, Litchfield, Connecticut, on behalf of America's Community Bankers; Edward Pinto, Lenders Residential Asset Company, LLC, Bethesda, Maryland, on behalf of the National Federation of Independent Business; Dale L. Leighty, First National Bank of Las Animas, Las Animas, Colorado, on behalf of the Independent Community Bankers of America; Bradley E. Rock, Bank of Smithtown, Smithtown, New York, on behalf of the American Bankers Association; Eugene F. Maloney, Federated Investors, Inc., Pittsburgh, Pennsylvania; Marilyn F. James, NEPCO Federal Credit Union, Pueblo, Colorado, on behalf of the Credit Union National Association; Margot Saunders, National Consumer Law Center, and Ed Mierzwinski, U.S. Public Interest Research Group, both of Washington, D.C., both on behalf of sundry organizations; William Cheney, Xerox Federal Credit Union, El Segundo, California, on behalf of the National Association of Federal Credit Unions; and William A. Longbrake, Washington Mutual Incorporated, Seattle, Washington, on behalf of the Financial Services Roundtable.

AVIATION SECURITY

Committee on Commerce, Science, and Transportation: Committee concluded an oversight hearing to examine aviation security, focusing on Border and Transportation Security Directorate efforts to improve the efficiency and effectiveness of passenger aviation security operations, after receiving testimony from Asa Hutchinson, Under Secretary of Homeland Security for Border and Transportation Security; Thomas J. Kinton, Jr., Massachusetts Port Authority, Boston; and James May, Air Transport Association of America, Inc., and Patricia Friend, Association of Flight Attendants-CWA, both of Washington, D.C.

HIGH-PERFORMANCE COMPUTING

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the Department of Energy's High Performance Computing research and development activities in both the National Nuclear Security Administration and the Office of Science, and S. 2176, to require the Secretary of Energy to carry out a program of research and development to advance high-end computing through the Office of Science, after receiving testimony from James F. Decker, Principal Deputy Director, Office of Science, Jeffrey Wadsworth, Director, Oak Ridge National Laboratory, and Dimitri Kusnezov, Director, Office of Advanced Simulation and Computing, National Nuclear Security Administration, all of the Department of Energy; David Turek, IBM Corporation, Poughkeepsie, New York; Daniel A. Reed, University of North Carolina at Chapel Hill Renaissance Computing Institute; and Vincent Scarafino, Ford Motor Company, Dearborn, Michigan.

CHARITY OVERSIGHT

Committee on Finance: Committee concluded a hearing to examine the governance and accountability of tax-exempt organizations, focusing on best practices of charities, charities accommodating tax shelters, and current problems and issues in the charitable community, after receiving testimony from Mark W. Everson, Commissioner, Internal Revenue Service, Department of the Treasury; New York Assistant Attorney General-in-Charge William Josephson, New York; Mark Pacella, National Association of State Charity Officials, Harrisburg, Pennsylvania; Jay D. Adkisson, Quatloos.com and Select Portfolio Management, Inc., Aliso Viejo, California; J. J. MacNab, Insurance Barometer, LLC, Bethesda, Maryland; Diana Aviv, Independent Sector, and Rick Cohen, National Committee for Responsive Philanthropy, both of Washington, D.C.; Derek Bok, Harvard University Hauser Center on Non-profits and Philanthropy, Cambridge, Massachusetts; Willard L. Boyd, University of Iowa, Iowa City, on behalf of the Iowa Nonprofit Resource Center, and the Iowa Governor's Task Force on the Role of Nonprofit Organizations in Iowa; H. Art Taylor, BBB Wise Giving Alliance, Arlington, Virginia; Rock Ringling, Montana Land Reliance, Helena; and certain confidential witnesses.

PEACE CORPS SAFETY

Committee on Foreign Relations: Committee concluded a hearing to examine the safety and security framework that has been designed to protect Peace Corps volunteers around the world, focusing on trends in crime against volunteers and the Peace Corps' system for generating information, the agency's field implementation of its safety and security framework, and the underlying factors contributing to the quality of these practices, after receiving testimony from Gaddi H. Vasquez, Director, and Cynthia Threlkeld, Guatemala Country Director, both of The Peace Corps; Jess T. Ford, Director, International Affairs and Trade, General Accounting Office; and Kevin Quigley, National Peace Corps Association, and Gladys M. Maloy, both of Washington, D.C.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

Convention on International Interests in Mobile Equipment and Protocol to Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft

Equipment, concluded at Cape Town, South Africa, on November 16, 2001 (Treaty Doc. 108–10); and

The nominations of John Marshall Evans, of the District of Columbia, to be Ambassador to the Republic of Armenia, Tom C. Korologos, of the District of Columbia, to be Ambassador to Belgium, Charles P. Ries, of the District of Columbia, to be Ambassador to Greece, James B. Cunningham, of Pennsylvania, to be U.S. Representative to the Vienna Office of the United Nations, with the rank of Ambassador, and U.S. Representative to the International Atomic Energy Agency, with the rank of Ambassador, Anne W. Patterson, of Virginia, to be a U.S. Representative to the Sessions of the General Assembly of the United Nations during her tenure of service as U.S. Deputy Representative to the United Nations, and to be U.S. Deputy Representative to the United Nations, with the rank and status of Ambassador, and the U.S. Deputy Representative in the Security Council of the United Nations, John C. Danforth, of Missouri, to be a U.S. Representative to the United Nations, with the rank and status of Ambassador, and the U.S. Representative in the Security Council of the United Nations, and to be U.S. Representative to the Sessions of the General Assembly of the United Nations during his tenure of service as U.S. Representative to the United Nations, Joseph D. Stafford III, of Florida, to be Ambassador to the Republic of The Gambia, Lewis W. Lucke, of Texas, to be Ambassador to the Kingdom of Swaziland, R. Niels Marquardt, of California, to be Ambassador to the Republic of Cameroon, and to serve concurrently and without additional compensation as Ambassador to the Republic of Equatorial Guinea, Ann M. Corkery, of Virginia, to be an Alternate Representative of the United States of America to the Fifty-eighth Session of the General Assembly of the United Nations, Benjamin A. Gilman, of New York, to be a U.S. Representative to the Fifty-Eighth Session of the General Assembly of the United Nations, Walid Maalouf, of Virginia, to be an Alternate Representative of the United States of America to the Fifty-eighth Session of the General Assembly of the United Nations, John D. Rood, of Florida, to be Ambassador to the Commonwealth of The Bahamas, William R. Brownfield, of Texas, to be Ambassador to the Bolivarian Republic of Venezuela, Thomas Fingar, of Virginia, to be Assistant Secretary of State for Intelligence and Research, Suzanne Hale, of Virginia, to be Ambassador to Micronesia, Ralph Leo Boyce, of Virginia, to be Ambassador to Thailand, James R. Kunder, of Virginia, to be Assistant Administrator of the USAID for Asia and the Near East, Edward Brehm, of Minnesota, to be a Member of the African Development Foundation Board of Directors, Adam M. Lindemann, of New York, to be a Member of the Advisory Board for Cuba Broadcasting, a Foreign Service Officer Promotion List, Charles Graves Untermeyer, of Texas, to be Ambassador to Qatar, William T. Monroe, of Virginia, to be Ambassador to the Kingdom of Bahrain, Douglas L. McElhaney, of Florida, to be Ambassador to Bosnia and Herzegovina, and Aldona Wos, of North Carolina, to be Ambassador to the Republic of Estonia.

MARRIAGE AMENDMENT

Committee on the Judiciary: Committee concluded a hearing to examine issues relative to preserving traditional marriage, focusing on States' perspective, after receiving testimony from Representative Musgrave; former Representative Barr; and Massachusetts Governor Mitt Romney, Boston.

FIGHTING TERRORISM

Committee on the Judiciary: Subcommittee on Terrorism, Technology and Homeland Security concluded a hearing to examine the use of subpoena authority and pretrial detention of terrorists in fighting terrorism, focusing on providing law enforcement with important new counterterrorism tools that could make a critical difference in certain cases, after receiving testimony from Rachel Brand, Principal Deputy Assistant Attorney General, Office of Legal Policy, and Michael A. Battle, United States Attorney for the Western District of New York, Buffalo, and James K. Robinson, former Assistant Attorney General for the Criminal Division, all of the Department of Justice.

VETERANS BENEFITS

Committee on Veterans' Affairs: Committee concluded a hearing to examine S. 50, relating to funding of Department of Veterans Affairs (VA) medical care; S. 1014, requiring VA to place certain low-income veterans in a higher health care priority category; S. 1153, the "Veterans Prescription Drugs Assistance Act"; S. 1509, the "Eric and Brian Simon Act of 2003"; S. 1745, the "Prisoner of War/Missing in Action National Memorial Act"; S. 2063, proposed demonstration project on priorities in the scheduling of appointments for veterans health care; S. 2099, relating to educational assistance benefits for certain members of the Selected Reserve; S. 2133, to name the Bronx VA Medical Center the James T. Peters VA Medical Center; S. 2296, relating to the conveyance, lease or disposal of the Louisville VA Medical Center; S. 2327, the proposed coordination of VA per diem and Medicaid payments for care of veterans in State homes; S. 2417, care for newborn children of veterans receiving maternity care; S. 2483, the "Veterans Compensation Cost-of-Living Adjustment Act of 2004"; S. 2484, the "Department of Veterans Affairs Health Care Personnel Enhancement Act of 2003"; S. 2485, the "Department of Veterans Affairs Real Property and Facilities Management Improvement Act of 2004; S. 2486, the Veterans Benefits Improvements Act of 2004"; S. 2522, to increase the maximum amount of VA home loan guaranty benefits; S. 2524, relating to Blast Injury Research and Clinical Care Centers (BIRECCs); and S. 2534, relating to various education and home loan benefits, after receiving testimony from

Senators Conrad, Corzine, and Clinton; Gordon H. Mansfield, Deputy Secretary of Veterans Affairs; Donald L. Mooney, American Legion, Paul A. Hayden, Veterans of Foreign Wars, Adrian M. Atizado, Disabled American Veterans, and Carl Blake, Paralyzed Veterans of America, all of Washington, D.C.; and Richard Jones, AMVETS, Lanham, Maryland.

LONG-TERM CARE

Special Committee on Aging: Committee concluded a hearing to examine long-term care services as provided for under the Medicaid programs, focusing on related provisions of S. 2077, to amend title XIX of the Social Security Act to permit additional States to enter into long-term care partnerships under the Medicaid Program in order to promote the use of long-term care insurance, after receiving testimony from Michael O'Grady, Assistant Secretary of Health and Human Services for Planning and Evaluation; Raymond Scheppach, National Governors Association, Washington, D.C.; Mark R. Meiners, University of Maryland Center on Aging, College Park; Melanie M. Bella, Indiana Family and Social Services Administration, Indianapolis; Kevin P. Corcoran, National Association of Health Underwriters, Arlington, Virginia; Steven Chies, Benedictine Health Systems, Cambridge, Minnesota, on behalf of the American Health Care Association; and Robert Bishop, Carmel, Indiana.

House of Representatives

Chamber Action

Measures Introduced: 17 public bills, H.R. 4633–4650; and 5 resolutions, H. Con. Res. 460–461, and H. Res. 685, 687–688 were introduced. **Page 13370**

Additional Cosponsors: **Page 13371**

Reports Filed: Reports were filed today as follows:

H.R. 218, to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns, amended (H. Rept. 108–560); and

H. Res. 686, providing for consideration of H.R. 4548, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (H. Rept. 108–561). **Page 13370**

Speaker: Read a letter from the Speaker wherein he appointed Representative Burns to act as Speaker Pro Tempore for today. **Page 13251**

Recess: The House recessed at 9:02 a.m. and reconvened at 10 a.m. **Page 13251**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Congratulating the Kenyon College Ladies swimming and diving team: H. Res. 634, congratulating the Kenyon College Ladies swimming and diving team for winning the 2004 NCAA Division III Women's Swimming and Diving National Championship; **Page 13252**

Congratulating the Kenyon College Lords swimming and diving team: H. Res. 635, congratulating the Kenyon College Lords swimming and diving team for winning the 2004 NCAA Division III Men's Swimming and Diving National Championship; **Page 13254**

Commending the University of Minnesota Golden Gophers: H. Res. 630, commending the University of Minnesota Golden Gophers for winning the 2003–04 NCAA Division I National Collegiate Women's Ice Hockey Championship; **Page 13255**

Honoring the life and accomplishments of Ray Charles: H. Con. Res. 449, honoring the life and accomplishments of Ray Charles, recognizing his contributions to the Nation, and extending condolences to his family on his death, by a ⅔ yea-and-nay vote of 419 yeas with none voting "nay", Roll No. 281; **Pages 13256, 13286**

Recognizing the importance of blues music: H. Con. Res. 13, amended, recognizing the importance of blues music, by a ⅔ yea-and-nay vote of 410 yeas with none voting "nay", Roll No. 280; **Pages 13259, 13287**

Expressing the sense of Congress regarding safe driving: H. Con. Res. 56, expressing the sense of the Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual; **Page 13261**

Luis A. Ferre United States Courthouse and Post Office Building Designation Act: S. 2017, to designate the United States courthouse and post office building located at 93 Atocha Street in Ponce, Puerto Rico, as the "Luis A. Ferre United States Courthouse and Post Office Building"—clearing the measure for the President; **Page 13262**

Cape Town Treaty Implementation Act of 2004: H.R. 4226, amended, to amend title 49, United States Code, to make certain conforming changes to provisions governing the registration of aircraft and the recordation of instruments in order to implement the Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment, known as the "Cape Town Treaty"; **Page 13264**

Working Families Assistance Act of 2004: H.R. 4372, to amend the Internal Revenue Code of 1986 to provide for the carryforward of $500 of unused benefits in cafeteria plans and flexible spending arrangements for dependent care assistance; **Page 13266**

Reauthorizing the TANF block grant program: H.R. 4589, to reauthorize the Temporary Assistance for Needy Families block grant program through September 30, 2004; and **Page 13267**

Recognizing National Homeownership Month: H. Res. 658, recognizing National Homeownership Month and the importance of homeownership in the United States, by a ⅔ yea-and-nay vote of 415 yeas to 2 nays, Roll No. 285. **Pages 13272, 13332**

Budget Resolution for FY 2005—Revision: Agreed by unanimous consent that it be in order at any time to consider H. Res. 685, revising the concurrent resolution on the budget for fiscal year 2005 as it applies to the House of Representatives; that the resolution be considered as read for amendment; and that the previous question be considered as ordered on the resolution to final adoption without intervening motion or demand for division of the question except 90 minutes of debate equally divided and controlled by the Majority Leader and Minority Leader or their designees. **Page 13288**

Department of Defense Appropriations Act for FY 2005: The House passed H.R. 4613, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, by a yea-and-nay vote of 403 yeas to 17 nays, Roll No. 284. **Page 13288**

Agreed to:

Amendment printed in H. Rept. 108–559; and

Lewis en bloc amendment that requires the Secretary of Defense to provide a report to the congressional defense committees that addresses how the Department is improving the dud rate of cluster munitions to meet existing DoD policies; requires that the Secretary notify the Committees on International Relations, and Foreign Relations, as well as the defense committees before assistance is provided to the Iraqi and Afghanistani military or security forces; requires that the Secretary provide to Congress a list of all contracts entered into by the DoD for the provision of security, translation, and interrogation services in Iraq, Afghanistan, or Guantanamo Bay and the amount of each contract; prohibits the use of funds for any contract in contravention of the Small Business Act; and makes technical corrections to the bill. **Page 13323**

Rejected:

Inslee amendment that sought to prohibit the use of funds to waive or modify regulations promulgated under sections of title 5 of U.S. Code (by a recorded vote of 202 ayes to 218 noes, Roll No. 283). **Page 13326**

Withdrawn:

Woolsey amendment (no. 8 printed in the Congressional Record of June 21) that was offered and subsequently withdrawn that sought to increase funding for the Former Soviet Union Threat Reduction Account; **Page 13307**

Blumenauer amendment (no. 3 printed in the Congressional Record of June 21) that was offered and subsequently withdrawn that sought to increase funding for research, development, test, and evaluation; **Page 13309**

Jackson-Lee amendment that was offered and subsequently withdrawn that sought to increase funding for the Defense Health Program; and **Page 13311**

Jackson-Lee amendment that was offered and subsequently withdrawn that sought to increase funding for embassy security, construction, and maintenance for interim facilities for the U.S. Mission in Iraq. **Page 13311**

H. Res. 683, the rule providing for consideration of the bill was agreed to by a recorded vote of 221 ayes to 197 noes, Roll No. 280, after agreeing to order the previous question by a yea-and-nay vote of 220 yeas to 196 nays, Roll No. 279. **Page 13277**

Abraham Lincoln Study Abroad Fellowship Program: The Chair announced the Speaker's appointment of Mr. Mark Kirk of Wilmette, Illinois, Mr. John C. Peters of DeKalb, Illinois, and Mr. S. Kerry Cooper of College Station, Texas to the Commission on the Abraham Lincoln Study Abroad Fellowship Program. **Page 13333**

Read a letter from the Minority Leader wherein she appointed Representative Slaughter, Dr. Mary M. Dwyer of Lake Forest, Illinois, and Ms. Mora McLean of New York to the Commission. **Page 13333**

Presidential Message: Read a letter from the President wherein he reported that whaling activities conducted by Iceland diminish the effectiveness of the International Whaling Commission conservation program—referred to the Committees on International Relations and Resources and ordered printed (H. Doc. 108–195). **Page 13333**

Senate Message: Message received from the Senate today appears on page 13251.

Amendments: Amendments ordered printed pursuant to the rule appear on page 13372.

Quorum Calls—Votes: Five yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages 13285–88 and 13331–33. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 11:02 p.m.

Committee Meetings

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on the Air Force Budget Request. Testimony was heard from the following officials of the U.S. Air Force: GEN John P. Jumper, USAF, Chief of Staff; and Nelson F. Gibbs, Assistant Secretary, (Installations, Environment and Logistics).

PROGRESS IN IRAQ

Committee on Armed Services: Held a hearing on Progress in Iraq. Testimony was heard from the following officials of the Department of Defense: Paul D. Wolfowitz, Deputy

Secretary; and GEN Peter Pace, USMC, Vice Chairman, Joint Chiefs of Staff.

COLLEGE ACCESS AND OPPORTUNITY ACT

Committee on Education and the Workforce: Subcommittee on 21st Century Competitiveness held a hearing entitled "H.R. 4283, the College Access and Opportunity Act: Does Accreditation Provide Students and Parents Accountability and Quality?" Testimony was heard from public witnesses.

NIH ETHICS CONCERNS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "NIH Ethics Concerns: Consulting Arrangements and Outside Awards." Testimony was heard from the following officials of the Department of Health and Human Services: Alex Michael Azar, II, General Counsel; Elias Zerhouni, M.D., Director NIH; Anna D. Barker, Deputy Director, Advanced Technologies and Strategic Partnerships; Maureen O. Wilson; Assistant Director; and J. Carl Barrett, Director, Center for Cancer Research, all with the National Cancer Institute; and public witnesses.

"THE NEW BASEL ACCORD: PRIVATE SECTOR PERSPECTIVES"

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "The New Basel Accord: Private Sector Perspectives." Testimony was heard from public witnesses.

LNG IMPORT TERMINAL AND DEEP WATER PORT SITING

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing entitled "LNG Import Terminal and Deepwater Port Siting: Federal and State Roles." Testimony was heard from Representative Markey; the following officials of the Department of Energy: David Garman, Acting Under Secretary; and Patrick H. Wood III, Chairman, Federal Energy Regulatory Commission; RADM Thomas Gilmour, USCG, Assistant Commandant, Marine Safety, U.S. Coast Guard, Department of Homeland Security; Jay Blossman, Commissioner, Public Service Commission, State of Louisiana; Kenneth D. Schisler, Chairman, Public Service Commission, State of Maryland; Joseph Desmond, Deputy Secretary, Energy, Resources Agency, State of California; and public witnesses.

NUCLEAR SECURITY

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations continued hearings on "Nuclear Security: Can DOE Meet Facility Security Requirements? (Part II). Testimony was heard from Robin M. Nazzaro, Director, Natural Resources and Environment, GAO; and the following officials of the Department of Energy: David Garman, Under Secretary, Office of Energy, Science and Environment; and Glenn S. Podonsky, Director, Office of Security and Safety Performance Assurance.

CHILD ABDUCTIONS

Committee on International Relations: Held a hearing on A Parents Worst Nightmare: The Heartbreak of International Child Abductions. Testimony was heard from Maura Harty, Assistant Secretary, Bureau of Consular Affairs, Department of State; Daniel J. Bryant, Assistant Attorney General, Office of Legal Policy, Department of Justice; and public witnesses.

U.S. POLICY TOWARD SOUTH ASIA

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on U.S. Policy Toward South Asia. Testimony was heard from Christina B. Rocca, Assistant Secretary, Bureau of South Asian Affairs, Department of State.

OVERSIGHT—LIMITING LAWSUIT ABUSE

Committee on the Judiciary: Held an oversight hearing entitled "Safeguarding Americans from a Legal Culture of Fear: Approaches to Limiting Lawsuit Abuse." Testimony was heard from public witnesses.

MENTALLY ILL OFFENDER TREATMENT AND CRIME REDUCTION ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on S. 1194, Mentally Ill Offender Treatment and Crime Reduction Act of 2003. Testimony was heard from Cheri Nolan, Deputy Assistant Attorney General, Office of Justice Programs, Department of Justice; and public witnesses.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2005

Committee on Rules: Granted, by a vote of 6 to 3, a structured rule providing one hour of general debate on H.R. 4548, Intelligence Authorization Act for Fiscal Year 2005, equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill, shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that amendments shall be considered only in the order specified in the report, may be offered only by a Member designated in the report,

shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the Rules Committee report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Goss and Representatives Simmons, Harman, Boswell, Peterson of Minnesota, Cramer, Eshoo, Holt, and Ackerman.

OVERSIGHT—PUBLIC TRANSPORTATION SECURITY

Committee on Transportation and Infrastructure: Subcommittee on Highways, Transit and Pipelines held an oversight hearing on Public Transportation Security. Testimony was heard from Robert Jamison, Deputy Administrator, Federal Transit Administration, Department of Transportation; Chet Lunner, Assistant Administrator, Office of Maritime and Land Security, Transportation Security Administration, Department of Homeland Security; Richard A. White, General Manager and Chief Executive Officer, Washington Metropolitan Area Transportation Authority; and public witnesses.

TAX EXEMPTION: PRICING PRACTICES OF HOSPITALS

Committee on Ways and Means: Subcommittee on Oversight held a hearing on Tax Exemption: Pricing Practices of Hospitals. Testimony was heard from public witnesses.

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Wednesday, June 23, 2004

Senate

Chamber Action

Routine Proceedings, pages 13470–13624

Measures Introduced: Eleven bills and two resolutions were introduced, as follows: S. 2561–2571, and S. Res. 389–390. **Page 13580**

Measures Passed:

Child Nutrition and WIC Reauthorization Act: Senate passed S. 2507, to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to provide children with increased access to food and nutrition assistance, to simplify program operations and improve program management, to reauthorize child nutrition programs, after agreeing to the following amendment proposed thereto: **Page 13513**

Crapo (for Cochran/Harkin) Amendment No. 3474, in the nature of a substitute. **Page 13517**

Ronald W. Reagan National Defense Authorization Act: By a unanimous vote of 97 yeas (Vote No. 146), Senate passed S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, after taking action on the following amendments proposed thereto: **Pages 13471, 13491, 13498, 13534**

Adopted:

Bond Further Modified Amendment No. 3384, to include certain former nuclear weapons program workers in the Special Exposure Cohort under the Energy Employees Occupational Illness Compensation Program and to provide for the disposal of certain excess Department of Defense stocks for funds for that purpose. **Pages 13471, 13485**

By 71 yeas to 27 nays (Vote No. 137), Warner (for McConnell) Amendment No. 3472, to require a report on the stabilization of Iraq. **Pages 13474, 13491**

Feingold Modified Amendment No. 3288, to rename and modify the authorities relating to the Inspector General of the Coalition Provisional Authority. **Pages 13471, 13536**

Landrieu/Snowe Modified Amendment No. 3315, to substitute the substantive text of S. 1916, but without the restriction on the maximum premium chargeable for SBP participation initiated by enrollment during the special period of open enrollment. **Pages 13471, 13537**

Reid (for Akaka) Modified Amendment No. 3414, to provide for a report on the recruitment and retention of individuals with foreign language skills. **Pages 13471, 13540**

Warner (for Inhofe) Modified Amendment No. 3280, to reauthorize energy saving performance contracts. **Pages 13471, 13543**

Levin (for Reed/Kohl) Modified Amendment No. 3355, to clarify the fiscal year 2004 funding level for a National Institute of Standards and Technology account. **Pages 13471, 13541**

Warner (for Lott) Amendment No. 3220, to repeal the authority of the Secretary of Defense to recommend that installations be placed in inactive status as part of the recommendations of the Secretary during the 2005 round of defense base closure and realignment. **Pages 13471, 13541**

Warner (for Bennett/Hatch) Modified Amendment No. 3373, to require a report on encroachment issues affecting Utah Test and Training Range, Utah. **Page 13471**

Bingaman Modified Amendment No. 3459, to require reports on the detainment of foreign nationals by the Department of Defense and on Department of Defense investigations of allegations of violations of the Geneva Convention. **Page 13541**

Levin (for Dodd) Modified Amendment No. 3311, to provide for a report on offset requirements under certain contracts. **Pages 13471, 13541**

Warner Amendment No. 3476, to provide for appropriate coordination in the preparation of the management plan for contractor security personnel. **Page 13541**

Warner Amendment No. 3477, to provide for appropriate coordination in the preparation of the report on contractor performance of security, intelligence, law enforcement, and criminal justice functions, and to add other congressional committee recipients for the report. **Page 13541**

Warner Amendment No. 3478, to provide for appropriate coordination in the preparation of the report on contractor security in Iraq, and to add other congressional committee recipients for the report. **Page 13542**

Warner Amendment No. 3479, to provide for the space posture review to be a joint undertaking of the Secretary of Defense and the Director of Central Intelligence. **Page 13542**

Warner Amendment No. 3480, to add the Select Committee on Intelligence and the Permanent Select Committee on Intelligence of the House of Representatives as recipients of the report of the panel on the future of military space launch. **Page 13542**

Warner Amendment No. 3481, to add the Director of Central Intelligence as an approving official for Department of Defense assistance to Iraq and Afghanistan military and security forces in certain cases. **Page 13542**

Levin (for Reid/Lieberman) Modified Amendment No. 3342, to require a plan on the implementation and utilization of flexible personnel management authorities in Department of Defense laboratories. **Page 13542**

Warner/Levin Amendment No. 3482, to express the sense of the Senate regarding the return of members of the Armed Forces to active service upon rehabilitation from service-related injuries. **Page 13542**

Levin (for Hollings) Amendment No. 3483, to authorize, and authorize the appropriation of, $18,140,000 for military construction at Navy Weapons Station, Charleston, South Carolina, for the construction of a consolidated electronic integration and support facility to house the command and control systems engineering and design work of the Space and Naval Warfare Systems Center, Charleston, and to provide offsets, including the elimination of the authorization of appropriations of $10,358,000 for military construction at Charleston, South Carolina, for the construction of a readiness center for the Army National Guard. **Page 13542**

Warner Amendment No. 3484, to add an amount for a bed-down initiative to enable the C–130 aircraft of the Idaho Air National Guard to be the permanent carrier of the SENIOR SCOUT mission shelters of the 169th Intelligence Squadron of the Utah Air National Guard. **Page 13542**

Daschle Amendment No. 3468 (to Amendment No. 3409), to assure that funding is provided for veterans health care each fiscal year to cover increases in population and inflation. **Pages 13471, 13543**

Reid (for Leahy) Amendment No. 3387, relative to the treatment of foreign prisoners. (By 45 yeas to 50 nays (Vote No. 143), Senate earlier failed to table the amendment.) **Pages 13471, 13556**

Rejected:

By 48 yeas to 50 nays (Vote No. 138), Levin (for Kennedy) Amendment No. 3377, to require reports on the efforts of the President to stabilize Iraq and relieve the burden on members of the Armed Forces of the United States deployed in Iraq and the Persian Gulf region. **Pages 13471, 13492**

By 45 yeas to 53 nays (Vote No. 139), Reed Amendment No. 3353, to limit the obligation and expenditure of funds for the Ground-based Midcourse Defense program pending the submission of a report on operational test and evaluation. **Pages 13471, 13478, 13492**

By 40 yeas to 58 nays (Vote No. 140), Levin (for Byrd) Amendment No. 3423, to modify the number of military personnel and civilians who may be assigned or retained in connection with Plan Colombia. **Pages 13471, 13481, 13493**

By 46 yeas to 50 nays (Vote No. 144), Leahy/Corzine Amendment No. 3485 (to Amendment No. 3387), to direct the Attorney General to submit to the Committee on the Judiciary of the Senate all documents in the possession of the Department of Justice relating to the treatment and interrogation of individuals held in the custody of the United States. **Pages 13544, 13556**

Withdrawn:

Levin (for Feingold) Amendment No. 3400, to enable military family members to take leave to attend to deployment-related business and tasks. **Pages 13471, 13534**

Warner Amendment No. 3460 (to Amendment No. 3459), in the nature of a substitute. **Page 13471**

Warner (for Bennett) Amendment No. 3403, to prohibit a full-scale underground nuclear test of the Robust Nuclear Earth Penetrator weapon without a specific authorization of Congress. **Page 13471**

Warner (for McCain) Amendment No. 3442, to impose requirements for the leasing of aerial refueling aircraft for the Air Force. **Page 13471**

Warner (for McCain) Amendment No. 3443, to impose requirements for the aerial refueling aircraft program of the Air Force. **Page 13471**

Warner (for McCain) Amendment No. 3444, to restrict leasing of aerial refueling aircraft by the Air Force. **Page 13471**

Warner (for McCain) Amendment No. 3445, to prohibit the leasing of Boeing 767 aircraft by the Air Force. **Page 13471**

Levin (for Biden/Lugar) Amendment No. 3378, to provide certain authorities, requirements, and limitations on foreign assistance and arms exports. **Page 13471**

Levin (for Byrd) Amendment No. 3286, to restrict acceptance of compensation for contractor employment of certain executive branch policymakers after termination of service in the positions to which appointed. **Page 13471**

Levin (for Daschle) Amendment No. 3328, to require the Secretary of the Air Force to maintain 3 additional B–1 bomber aircraft, in addition to the current fleet of 67 B–1 bomber aircraft, as an attrition reserve for the B–1 bomber aircraft fleet. **Page 13471**

Levin (for Daschle) Amendment No. 3330, to authorize the provision to Indian tribes of excess nonlethal supplies of the Department of Defense. **Page 13471**

Levin (for Dayton) Amendment No. 3203, to require a periodic detailed accounting of costs and expenditures for Operation Iraqi Freedom, Operation Enduring Freedom, and all other operations relating to the Global War on Terrorism. **Page 13471**

Levin (for Dodd) Amendment No. 3310, to amend the Federal Law Enforcement Pay Reform Act of 1990 to adjust the percentage differentials payable to the Federal law enforcement officers in certain high-cost areas. **Page 13471**

Levin (for Graham) (FL)) Amendment No. 3300, to amend the Haitian Refugee Immigration Fairness Act of 1998. **Page 13471**

Levin (for Leahy) Amendment No. 3388, to obtain a full accounting of the programs and activities of the Iraqi National Congress. **Page 13471**

Levin Amendment No. 3336, to authorize the demolition of facilities and improvements on certain military installations approved for closure under the defense base closure and realignment process. **Page 13471**

Levin (for Kennedy) Amendment No. 3201, to assist school districts serving large numbers or percentages of military dependent children affected by the war in Iraq or Afghanistan, or by other Department of Defense personnel decisions. **Page 13471**

Ensign Amendment No. 3467 (to Amendment No. 3315), to provide a fiscally responsible open enrollment authority. (Senate vitiated earlier adoption of the amendment). **Pages 13471, 13539**

During consideration of this measure today, Senate also took action the following action:

By 49 yeas to 49 nays (Vote No. 136), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974 with respect to Levin (for Corzine) Amendment No. 3303, to amend title 10, United States Code, to reduce the age for receipt of military retired pay for nonregular service from 60 to 55. Subsequently, the point of order that the amendment would increase mandatory spending, was sustained, and the amendment thus fell. **Page 13491**

A unanimous-consent agreement was reached providing that Senator Smith be authorized to change his vote from nay to yea with respect to Vote No. 129 (changing the vote tally to 94 yeas to 3 nays), on Reed Amendment No. 3352, to increase the end strength for active duty personnel of the Army for fiscal year 2005 by 20,000 to 502,400, agreed to on June 17, 2004.

Warner (for Gregg) Amendment No. 3475 (to Amendment No. 3400), to enable military family members to take time off to attend to deployment-related business, tasks, and other family issues, fell when Levin (for Feingold) Amendment No. 3400 (listed above) was withdrawn. **Page 13534**

By 49 yeas to 48 nays (Vote No. 145), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Reid (for Daschle) Amendment No. 3409, to assure that funding is provided for veterans health care each fiscal year to cover increases in population and inflation. Subsequently, the point of order that the amendment would increase mandatory spending, was sustained, and the amendment thus fell. **Pages 13471, 13558**

Department of Defense Authorization: Senate passed S. 2401, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, and to prescribe personnel strengths for such fiscal year for the Armed Forces, after striking all after the enacting clause and inserting in lieu thereof Division A of S. 2400, National Defense Authorization, as amended. **Page 13568**

Military Construction Authorization: Senate passed S. 2402, to authorize appropriations for fiscal year 2005 for military construction, after striking all after the enacting clause and inserting in lieu thereof Division B of S. 2400, National Defense Authorization, as amended. **Page 13569**

Department of Energy Defense Activities Authorization: Senate passed S. 2403, to authorize appropriations for fiscal year 2005 for defense activities of the Department of Energy, after striking all after the enacting clause and inserting in lieu thereof Division C of S. 2400, National Defense Authorization, as amended. **Page 13569**

National Defense Authorization: Senate passed H.R. 4200 to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, after striking all after the enacting clause and inserting in lieu thereof the text of S. 2400, Senate companion measure, as amended and passed by the Senate. **Page 13569**

National Fetal Alcohol Spectrum Disorders Day: Senate agreed to S. Res. 390, designating September 9, 2004, as "National Fetal Alcohol Spectrum Disorders Day". **Page 13623**

Surface Transportation Extension Act: Senate passed H.R. 4635, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, clearing the measure for the President. **Page 13623**

Class Action Fairness Act—Agreement: A unanimous-consent agreement was reached providing that the previous order with respect to S. 2062, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, be vitiated, and the Senate then proceed to its consideration upon the disposition of the Defense Appropriations Bill.

Nomination Agreement: A unanimous-consent agreement was reached providing that at 10 a.m., on Thursday, June 24, Senate begin consideration of the nomination of John C. Danforth, of Missouri, to be a U.S. Representative to the United Nations, with the rank and status of Ambassador, and the U.S. Representative in the Security Council of the United Nations, and to be U.S. Representative to the Sessions of the General Assembly of the United Nations during his tenure of service as U.S. Representative to the United Nations. **Page 13624**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 98 yeas (Vote No. Ex. 141), Juan R. Sanchez, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania. **Pages 13494, 13624**

By unanimous vote of 94 yeas (Vote No. Ex. 142), Walter D. Kelley, Jr., of Virginia, to be United States District Judge for the Eastern District of Virginia. **Pages 13495, 13624**

Messages From the House: **Page 13575**

Measures Referred: **Page 13575**

Measures Placed on Calendar: **Page 13575**

Enrolled Bills Presented: **Page 13575**

Executive Communications: **Page 13575**

Petitions and Memorials: **Page 13577**

Additional Cosponsors: **Page 13581**

Statements on Introduced Bills/Resolutions: **Page 13582**

Additional Statements: **Page 13572**

Amendments Submitted: **Page 13602**

Authority for Committees to Meet: **Page 13622**

Privilege of the Floor: **Page 13622**

Record Votes: Eleven record votes were taken today. (Total—146) **Pages 13491–95, 13497, 13556, 13558, 13568**

Adjournment: Senate convened at 9:31 a.m., and adjourned at 11:45 p.m., until 10 a.m., on Thursday, June 24, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 13624.)

Committee Meetings

PESTICIDE AND PRICE COMPETITIVENESS

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Production and Price Competitiveness concluded a hearing to examine S. 1406, to amend the Federal Insecticide, Fungicide, and Rodenticide Act to permit the Administrator of the Environmental Protection Agency to register a Canadian pesticide, after receiving testimony from Senator Dorgan; Adam Sharp, Associate Assistant Administrator, Office of Prevention, Pesticides, and Toxic Substances, Environmental Protection Agency; Jim Gray, North Dakota Department of Agriculture, Bismarck, on behalf of the National Association of State Departments of Agriculture; Mark Gage, Page, North Dakota, on behalf of the National Association of Wheat Growers; and Jay Vroom, CropLife America, Washington, D.C.

PEER-TO-PEER TECHNOLOGY

Committee on Commerce, Science, and Transportation: Subcommittee on Competition, Foreign Commerce, and Infrastructure concluded a hearing to examine the potential benefits and detriments to both consumers and content providers from the anticipated uses of internet peer-to-peer file distribution technology in the future, focusing on "filesharing" of film and music, after receiving testimony from Howard Beales III, Director, Bureau of Consumer Protection, Federal Trade Commission; John Rose, EMI Group and EMI Music, New York, New York; Michael Weiss, StreamCast Networks, Inc., Woodland Hills, California; Les Ottolenghi, INTENT MediaWorks, LLC, Atlanta, Georgia; and Curt Pederson, Oregon State University Corvallis.

GRAZING REGULATIONS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine the grazing programs of the Bureau of Land Management and the Forest Service, including permit renewals, recent and proposed changes to grazing regulations, and the Wild Horse and Burro program, as it relates to grazing, and the Administration's proposal for sagegrouse habitat conservation, after receiving testimony from Jim Hughes, Deputy Director, Bureau of Land Management, Department of the Interior; Tom L. Thompson, Deputy Chief, National Forest System, Department of Agriculture; Peter Andrew Groseta, Cottonwood, Arizona, on behalf of the Public Lands Council and the National Cattlemen's Beef Association; Mike G. Casabonne, New Mexico Public Lands Council, Hope; and Bob M. Skinner, Oregon Cattlemen's Association, Jordon Valley.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following bills:

S. 2550, to amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to improve water and wastewater infrastructure in the United States, with amendments;

S. 2495, to strike limitations on funding and extend the period of authorization for certain coastal wetland conservation projects;

H.R. 2408, to amend the Fish and Wildlife Act of 1956 to reauthorize volunteer programs and community partnerships for national wildlife refuges;

S. 2547, to amend the Migratory Bird Treaty Act to exclude non-native migratory bird species from the application of that Act;

S. 2554, to provide for the consideration and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, with an amendment in the nature of a substitute;

S. 1134, to reauthorize and improve the programs authorized by the Public Works and Economic Development Act of 1965, with amendments;

H.R. 1572, to designate the United States courthouse located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow United States Courthouse";

S. 2385, to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the "Santiago E. Campos United States Courthouse"; and

S. 2398, to designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the James V. Hansen Federal Building.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of June Carter Perry, of the District of Columbia, to be Ambassador to the Kingdom of Lesotho, Joyce A. Barr, of Washington, to be Ambassador to the Republic of Namibia, R. Barrie Walkley, of California, to be Ambassador to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe, James D. McGee, of Florida, to be Ambassador to the Republic of Madagascar, Cynthia G. Efird, of the District of Columbia, to be Ambassador to the Republic of Angola, Jackson McDonald, of Florida, to be Ambassador to the Republic of Guinea, and Christopher William Dell, of New Jersey, to be Ambassador to the Republic of Zimbabwe, after the nominees testified and answered questions in their own behalf.

NOMINATION

Committee on Governmental Affairs: Committee concluded a hearing to examine the nomination of David M. Stone, of Virginia, to be an Assistant Secretary of Homeland Security, after the nominee testified and answered questions in his own behalf.

WMD SMUGGLING NETWORKS

Committee on Governmental Affairs: Subcommittee on Financial Management, the Budget, and International Security concluded a hearing to examine U.S. efforts to address the threat posed by the international smuggling weapons of mass destruction technologies, and U.S. programs and initiatives, including the Proliferation Security Initiative, to counter these proliferation threats, after receiving testimony from Peter Lichtenbaum, Assistant Secretary of Commerce for Export Administration; Mark T. Fitzpatrick, Acting Deputy Assistant Secretary of State for Nonproliferation Controls; David Albright, Institute for Science and International Security, Michael Moodie, Chemical and Biological Arms Control Institute, and Baker Spring, Heritage Foundation, all of Washington, D.C.; and Leonard S. Spector, Monterey Institute of International Studies Center for Nonproliferation Studies, Monterey, California.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following bills:

S.J. Res. 37, to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian Tribes and offer an apology to all Native Peoples on behalf of the United States, with an amendment in the nature of a substitute; and

S. 1996, to enhance and provide to the Oglala Sioux Tribe and Angostura Irrigation Project certain benefits of the Pick-Sloan Missouri River basin program, with an amendment in the nature of a substitute

INDIAN TRIBAL DETENTION FACILITIES

Committee on Indian Affairs: Committee concluded an oversight hearing to examine issues and problems related to Bureau of Indian Affairs' tribal detention facilities, focusing on prison deaths and suicides, prisoner escapes, and police officer safety, after receiving testimony from Earl E. Devaney, Inspector General, David W. Anderson, Assistant Secretary for Indian Affairs, both of the Department of the Interior; Tracy Henke, Principal Deputy Assistant Attorney General, Department of Justice; Howard D. Richards, Sr., Southern Ute Indian Tribe, Ignacio, Colorado; Vivian Juan-Saunders, Hope MacDonald-Lonetree, Navajo Nation, Window Rock, Arizona; Tohono O'odham Nation, Sells, Arizona; Darrel Martin, Fort Belknap Indian Community Council, Harlem, Montana; and Fred Guardipee, Blackfeet Tribal Business Council, Browning, Montana.

BIOLOGIC MEDICINE

Committee on the Judiciary: Committee concluded a hearing to examine the law of biologic medicine, focusing on sci-

entific and legal limitations of the use of biologics which are drugs derived from living material, after receiving testimony from Lester M. Crawford, Acting Commissioner of Food and Drugs, and Daniel Troy, Associate General Counsel, both of the Food and Drug Administration, Department of Health and Human Services; David Beier, Amgen Inc., and William B. Schultz, Zuckerman Spaeder LLP, on behalf of the Generic Pharmaceutical Association, both of Washington, D.C.; Carole Ben-Maimon, Barr Research, Inc., Bala Cynwyd, Pennsylvania; and William Hancock, Northeastern University, Boston, Massachusetts.

House of Representatives

Chamber Action

Measures Introduced: 26 public bills, H.R. 4651–4676; and 6 resolutions, H. Con. Res. 462–464, and H. Res. 689–691 were introduced. **Page 13750**

Additional Cosponsors: **Page 13752**

Reports Filed: Reports were filed today as follows:

H.R. 1156, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to increase the ceiling on the Federal share of the costs of phase I of the Orange County, California, Regional Water Reclamation Project (H. Rept. 108–562);

H.R. 646, to expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862, amended (H. Rept. 108–563);

H.R. 142, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Inland Empire regional water recycling project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, and to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project, amended (H. Rept. 108–564);

H.R. 4056, to encourage the establishment of both long-term and short-term programs to address the threat of man-portable air defense systems (MANPADS) to commercial aviation, amended (H. Rept. 108–565, Pt. 1);

H. Res. 692, providing for consideration of the bill (H.R. 4663) to amend part C of the Balanced Budget and Emergency Deficit Control Act of 1985 to extend the discretionary spending limits and pay-as-you-go through fiscal year 2009 (H. Rept. 108–566); and

H. Res. 693, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–567). **Page 13750**

Speaker: Read a letter from the Speaker wherein he appointed Representative Shaw to act as Speaker Pro Tempore for today. **Page 13625**

Chaplain: The Prayer was offered today by Rev. Jack Davidson, Pastor, Redeemer Lutheran Church in Lancaster, Ohio. **Page 13625**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Surface Transportation Extension Act of 2004, Part III: H.R. 4635, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, by a ⅔ yea-and-nay vote of 418 yeas with none voting "nay", Roll No. 288; **Pages 13637, 13682**

United States International Leadership Act of 2004: H.R. 4053, to improve the workings of international organizations and multilateral institutions, by a ⅔ yea-and-nay vote of 365 yeas to 56 nays, Roll No. 289; **Pages 13643, 13683**

Regarding the Security of Israel and the Principles of the Middle East Peace: H. Con. Res. 460, regarding the security of Israel and the principles of peace in the Middle East, by a ⅔ yea-and-nay vote of 407 yeas to 9 nays, and 3 voting "present", Roll No. 290; **Pages 13647, 13683**

Identity Theft Penalty Enhancement Act: H.R. 1731, amended, to amend title 18, United States Code, to establish penalties for aggravated identity theft; **Page 13667**

Law Enforcement Officers Safety Act of 2003: H.R. 218, amended, to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns; **Page 13671**

Amending United States Code regarding the Department of Veterans Affairs home loan guaranty program: H.R. 4345, to amend title 38, United States Code, to increase the maximum amount of home loan guaranty available under the home loan guaranty program of the Department of Veterans Affairs. **Page 13677**

Suspension—Proceedings Postponed: The House completed debate on the following measure. Further proceedings were postponed.

Recognizing the 40th Anniversary of Congressional passage of the Civil Rights Act of 1964: H. Res. 676, recognizing and honoring the 40th anniversary of congressional passage of the Civil Rights Act of 1964. **Page 13661**

Intelligence Authorization Act for FY 2005: The House passed H.R. 4548, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related

activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, by a recorded vote of 360 ayes to 61 nays, Roll No. 300. **Page 13684**

Agreed that the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill be considered as an original bill for the purpose of amendment.

Page 13733

Rejected the Dicks motion to strike the enacting clause by voice vote.

On the demand for a separate vote on the Sam Johnson of Texas amendment agreed to in the Committee on the Whole, the House agreed to the amendment by a recorded vote of 304 ayes to 116 noes, Roll No. 298.

Pages 13728, 13734

Rejected the Peterson of Minnesota motion to recommit the bill to the Permanent Select Committee on Intelligence with instructions to report the bill back to the House forthwith with an amendment by a yea-and-nay vote of 197 yeas to 224 nays, Roll No. 299. **Page 13735**

Agreed to:

Goss amendment (No. 1 printed in H. Rept. 108–561) that restores the authorization for funds for the National Drug Intelligence Center to the level requested by the President in the fiscal year 2005 budget request;

Page 13699

Gallegly amendment (No. 2 printed in H. Rept. 108–561) that amends current law regarding designations of Foreign Terrorist Organizations; **Page 13700**

Ackerman amendment (No. 6 printed in H. Rept. 108–561) that requires the Director of Central Intelligence to report to the appropriate committees of Congress on weapons of mass destruction in Pakistan and Pakistani efforts to fight terrorism and strengthen democratic institutions; **Page 13712**

Boehlert amendment (No. 3 printed in H. Rept. 108–561), as modified, that expresses the sense of Congress regarding the dismantling and removal of weapons of mass destruction in Libya and other countries (by a recorded vote of 335 ayes to 83 noes, Roll No. 291);

Pages 13702, 13728

Sam Johnson of Texas amendment (No. 4 printed in H. Rept. 108–561) that expresses the sense of Congress that the apprehension, detention, and interrogation of terrorists are fundamental to the successful prosecution of the Global War on Terror (by a recorded vote of 366 ayes to 51 noes, Roll No. 292); **Pages 13707, 13729**

Rogers of Michigan amendment (No. 5 printed in H. Rept. 108–561) that expresses the sense of Congress in support of the efforts of the Intelligence Community (by a recorded vote of 222 ayes to 195 noes, Roll No. 293);

Pages 13709, 13730

Shays amendment (No. 7 printed in H. Rept. 108–561) that expresses the sense of Congress that the head of each element of the Intelligence Community should make available to committees of Congress with jurisdiction, information relating to the Office of Iraq Oil-for-Food Program of the United Nations (by a recorded vote of 419 ayes with none voting "no," Roll No. 294);

Pages 13714, 13731

Kucinich amendment (No. 8 printed in H. Rept. 108–561) that directs the Inspector General of the CIA to audit the evidence of relationship, existing prior to 9/11/2001, between the regime of Saddam Hussein and al-Qaeda (by a recorded vote of 343 ayes to 76 noes, Roll No. 295); and **Pages 13716, 13731**

Simmons amendment (No. 9 printed in H. Rept. 108–561) that directs the Director of Central Intelligence to report to Congress on the progress the Intelligence Community is making in utilizing Open Source Intelligence (by a recorded vote of 417 ayes to 1 no, Roll No. 296).

Pages 13723, 13732

Rejected:

Reyes amendment (No. 10 printed in H. Rept. 108–561) that sought to withhold funding for certain intelligence programs until the appropriate congressional committees receive all documents related to the handling and treatment of detainees in Iraq, Afghanistan, Guantanamo Bay and elsewhere (by a recorded vote of 149 ayes to 270 noes, Roll No. 297). **Pages 13725, 13733**

Agreed that the Clerk be authorized to make technical and conforming changes to the bill as necessary to reflect the actions of the House. **Page 13738**

H. Res. 686, the rule providing for consideration of the bill was agreed to by a recorded vote of 220 ayes to 200 noes, Roll No. 287, after agreeing to order the previous question by a yea-and-nay vote of 222 yeas to 200 nays, Roll No. 286. **Pages 13628, 13681**

Resolution Congratulating the Interim Government of Iraq—Order of Business: Agreed that it be in order at any time to consider H. Res. 691, congratulating the interim government of Iraq on its assumption of full responsibility and authority as a sovereign government; that the resolution shall be considered as read for amendment; that the resolution be debatable for one hour equally divided and controlled by the Majority Leader and the Minority Leader or their designees; and that the previous question be considered as ordered on the resolution to final adoption without intervening motion or demand for division of the question. **Page 13738**

Senate Message: Messages received from the Senate today appear on pages 13625 and 13737.

Senate Referral: S.J. Res. 33 and S. 2507 were ordered held at the desk.

Amendments: Amendments ordered printed pursuant to the rule will appear on page 13752.

Quorum Calls—Votes: Five yea-and-nay votes and ten recorded votes developed during the proceedings of today

and appear on pages 13681–84 and 13729–37. There were no quorum calls.

Recess: The House recessed at 12 a.m. and reconvened at 8 a.m. on Thursday, June 24. **Page 13748**

Adjournment: The House met at 10 a.m. and adjourned at 8:02 a.m. on Thursday, June 24.

Committee Meetings

AGRICULTURAL BIOTECHNOLOGY REVIEW

Committee on Agriculture: Subcommittee on Conservation, Credit, Rural Development, and Research held a hearing to review Agricultural Biotechnology. Testimony was heard from public witnesses.

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES; AGRICULTURE RURAL DEVELOPMENT, FDA AND RELATED AGENCIES; AND LEGISLATIVE APPROPRIATIONS

Committee on Appropriations: Ordered reported the following appropriations for fiscal year 2005: Commerce, Justice, State, Judiciary and Related Agencies; Agriculture, Rural Development, Food and Drug Administration and Related Agencies; and Legislative.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing, and Related Programs approved for full Committee action the Foreign Operations, Export Financing and Related Programs appropriations for fiscal year 2005.

U.S. GLOBAL DEFENSE FOOTPRINT

Committee on Armed Services: Held a hearing on the U.S. global defense footprint. Testimony was heard from the following officials of the Department of Defense: Douglas J. Feith, Under Secretary, Policy; and LTG James E. Cartwright, USMC, Director, Force Structure, Resources and Assessment (J8), Joint Chiefs of Staff, and Ray DuBois, Deputy Under Secretary, Installations and Environment; and Lincoln P. Bloomfield, Jr., Assistant Secretary, Bureau of Political-Military Affairs, Department of State.

NO CHILD LEFT BEHIND

Committee on Education and the Workforce: Held a hearing entitled "No Child Left Behind: Raising Student Achievement in America's Big City Schools." Testimony was heard from public witnesses.

TRAVEL, TOURISM, AND HOMELAND SECURITY

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled "Travel, Tourism, and Homeland Security: Improving Both without Sacrificing Either." Testimony was heard from C. Stewart Verdery, Jr., Assistant Secretary, Border and Transportation Security Directorate, Department of Homeland Security; and public witnesses.

PROTECTING HOMELAND SECURITY

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "Protecting Homeland Security: A Status Report on Interoperability Between Public Safety Communications Systems." Testimony was heard from David Boyd, Deputy Director, Office of Systems Engineering and Development, Department of Homeland Security; John B. Muleta, Bureau Chief, Wireless Telecommunications, FCC; Robert Legrande, Deputy Chief Technology Officer, District of Columbia; and a public witness.

PROMOTING HOMEOWNERSHIP

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit and the Subcommittee on Housing and Community Opportunity held a joint hearing entitled "Promoting Homeownership by Ensuring Liquidity in the Subprime Mortgage Market." Testimony was heard from Pamela Kogut, Assistant Attorney General, State of Massachusetts; and public witnesses.

CONSULTING CONTRACT; D.C. DIRECT REPRESENTATION PROPOSALS

Committee on Government Reform: Approved a Consulting Contract.

The Committee also held a hearing entitled "Common Sense Justice for the Nation's Capital: An Examination of Proposals to Give D.C. Residents Direct Representation." Testimony was heard from Representatives Regula and Rohrabacher; the following officials of the District of Columbia: Anthony A. Williams, Mayor; and Linda W. Cropp, Chairman, Council; and public witnesses.

GEOSPATIAL INFORMATION

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held a hearing entitled "Geospatial Information: Are we Headed in the Right Direction or Are We Lost?" Testimony was heard from Karen S. Evans, Administrator, E-Government and Information Technology, OMB; Linda D. Koontz, Director, Information Management, GAO; Scott J. Cameron, Deputy Assistant Secretary, Performance and Management, Department of the Interior; William Allder, Jr., Director, Office of Strategic Transformation, National Geospatial-Intelligence Agency, Department of Defense; and public witnesses.

STOLEN PASSPORTS

Committee on International Relations: Held a hearing on Stolen Passports: A Terrorist's First Class Ticket. Testimony was heard from Clark Kent Ervin, Inspector General, Department of Homeland Security; Frank Moss, Deputy Assistant Secretary, Passport Services, Bureau of Consular

Affairs, Department of State; and James M. Sullivan, Director, U.S. National Central Bureau Interpol Criminal Police Organization, Department of Justice.

HONG KONG—RECENT DEVELOPMENTS

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on Recent Developments in Hong Kong. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported, as amended, the following bills: H.R. 3247, Trail Responsibility and Accountability for the Improvement of Lands Act of 2003; H.R. 338, Defense of Privacy Act; H.R. 3632, Anti-Counterfeiting Amendments of 2003, and H.R. 2934, Terrorist Penalties Enhancement Act of 2003.

OVERSIGHT—DETRIMENTAL IMPACT OF IMMIGRATION BACKLOG

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims continued hearings on "Families and Business Limbo: The Detrimental Impact of the Immigration Backlog." Testimony was heard from Prakash Khatri, Citizenship and Immigration Services Ombudsman, Department of Homeland Security; and public witnesses.

AMERICAN INDIAN REFORM ACT

Committee on Resources: Held a hearing on S. 1721, American Indian Probate Reform Act of 2003. Testimony was heard from Ross Swimmer, Special Trustee for American Indians, Department of the Interior; and public witnesses.

OVERSIGHT—DEVELOPING BIOMASS POTENTIAL

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on Developing Biomass Potential: Turning Hazardous Fuels into Valuable Products. Testimony was heard from Chris Risbrudt, Director, Forests Products Laboratory, Forest Service, USDA; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following: H.R. 4300, Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project; H.R. 4389, To authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California; H.R. 4459, Llagas Reclamation Groundwater Remediation Initiative; and H.R. 4606, Southern California Groundwater Remediation Act. Testimony was heard from William Rinne, Deputy Commissioner, Director of Operations, Department of the Interior; and public witnesses.

SPENDING CONTROL ACT

Committee on Rules: Granted, by a vote of 9 to 2, a structured rule providing 1 hour of general debate on H.R. 4663, Spending Control Act of 2004, equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. The rule waives all points of order against the bill and against its consideration. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report, except that upon adoption of an amendment in the nature of a substitute, only the last amendment printed in the report shall be in order. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Nussle and Representatives Gutknecht, Hastings of Washington, Hensarling, Brady of Texas, Kirk, Chocola, Ryan of Wisconsin, Neugebauer, Spratt, Thompson of California, Stenholm, Turner of Texas and Matheson.

SAME DAY CONSIDERATION OF RESOLUTION REPORTED BY THE RULES COMMITTEE RELATING TO THE ENERGY AND WATER DEVELOPMENT APPROPRIATIONS FOR 2005

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reportred on the legislative day of Thursday, June 24, 2004, providing for consideration of the bill (H.R. 4614) making appropriations for energy and water development for the fiscal year ending September 30, 2005, and for other purposes.

VETERANS' MATTERS

Committee on Veterans' Affairs: Held a hearing entitled: "Protecting the Rights of Those Who Protect Us: Public Sector Compliance with the Uniformed Services Employment and Reemployment Rights Act and Improvement of the Servicemembers Civil Relief Act," including discussion of the following: H.R. 3779, Safeguarding Schoolchildren of Deployed Soldiers Act of 2004; H.R. 4477, Patriotic Employer Act of 2004; the USERRA Health Care Coverage Extension Act of 2004; and the Servicemembers Legal Protection Act of 2004. Testimony was heard from Representatives McGovern, Bradley of

New Hampshire, Slaughter and Ginny Brown-Waite of Florida; Dan G. Blair, Deputy Director, OPM; Scott J. Bloch, Special Counsel, Office of Special Counsel; Craig W. Duehring, Principal Deputy Assistant Secretary, Reserve Affairs, Department of Defense; David C. Iglesias, U.S. Attorney, District of Mexico, Department of Justice; Charles S. Ciccolella, Deputy Assistant Secretary, Veterans' Employment and Training Service, Department of Labor; and public witnesses.

COIN MEASURES; U.S.-AUSTRALIA FREE TRADE IMPLEMENTATION ACT

Committee on Ways and Means: Ordered reported, as amended, the following bills: H.R. 1914, Jamestown 400th Anniversary Commemorative Coin Act of 2003; H.R. 2768, John Marshall Commemorative Coin Act; and H.R. 3277, Marine Corps 230th Anniversary Commemorative Coin Act.

The Committee also approved the draft implementing proposal on the United States-Australia Free Trade Implementation Act.

Joint Meetings

HIGHWAY TRUST FUND ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 3550, to authorize funds for Federal-aid highways, highway safety programs, but did not complete action thereon, and will meet again on Wednesday, July 7, 2004.

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Thursday, June 24, 2004

Senate

Chamber Action

Routine Proceedings, pages 13762–13920

Measures Introduced: Thirty-four bills and eight resolutions were introduced, as follows: S. 2572–2605, S. Res. 391–397, and S. Con. Res. 120. **Page 13844**

Measures Reported:

Report to accompany S. 2559, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005. (S. Rept. No. 108–284)

H.R. 1572, to designate the United States courthouse located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow United States Courthouse".

S. 2385, to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the "Santiago E. Campos United States Courthouse".

S. 2398, to designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the James V. Hansen Federal Building. **Page 13842**

Measures Passed:

Department of Defense Appropriations Act: By a unanimous vote of 98 yeas (Vote No. 149), Senate passed H.R. 4613, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, striking all after the enacting clause and inserting in lieu thereof the text of S. 2559, Senate companion measure, and the bill as amended be considered as original text for the purpose of further amendment, after taking action on the following amendments proposed thereto: **Pages 13770, 13780**

Adopted:

Stevens (for Baucus) Amendment No. 3490, to set aside an amount for a grant to Rocky Mountain College, Montana, for the purchase of aircraft for support of aviation training. **Page 13780**

Stevens (for Corzine) Amendment No. 3491, to make available, from amounts appropriated for "Research, Development, Test, and Evaluation, Navy", $4,000,000 for Aviation Data Management and Control System, Block II. **Page 13780**

Stevens (for Kennedy) Amendment No. 3492, to make $50,000,000 available under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs. **Page 13780**

Stevens (for Leahy) Amendment No. 3497, to set aside an amount for procurement of aircrew bladder relief (ABRD) kits. **Page 13784**

DeWine Amendment No. 3493, to appropriate funds for the crisis in Darfur and Chad. **Pages 13781, 13784**

Stevens (for Warner/Allen) Amendment No. 3498, to increase amounts for certain Navy shipbuilding and conversion programs, projects, and activities; and to provide an offset. **Page 13786**

Stevens (for Roberts) Amendment No. 3499, to make available, from amounts appropriated for "Research, Development, Test, and Evaluation, Air Force", $10,000,000 for the Science, Mathematics, and Research for Transformation (SMART) Pilot Scholarship Program. **Page 13786**

Stevens (for Santorum) Amendment No. 3500, to make available, from amounts appropriated for "Operation and Maintenance, Defense-Wide", $5,000,000 for Department of Defense Education Activity for the upgrading of security at Department of Defense dependents schools. **Page 13786**

Stevens (for Santorum) Amendment No. 3501, to make available from amounts appropriated for "Research, Development, Test, and Evaluation, Army", $3,000,000 for Medical Advanced Technology for the Intravenous Membrane Oxygenator. **Page 13786**

Stevens (for Lott/Cochran) Amendment No. 3503, to express the sense of Congress on the expansion of the Global Hawk Maritime Demonstration Program to include forward deployed forces of the Navy and the Marine Corps in the United States Central Command area of operations. **Page 13788**

Stevens (for Reed) Amendment No. 3504, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Navy, $3,000,000 to establish the Consortium of Visualization Excellence for Underseas Warfare Modeling and Simulation (COVE). **Page 13788**

Stevens (for Bayh/Lugar) Amendment No. 3505, to make $21,900,000 available for M1A1 Tank transmission maintenance. **Page 13789**

Stevens (for Reed) Amendment No. 3506, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Navy, $2,000,000 to conduct a demonstration of a prototype of the Improved Shipboard Combat Information Center. **Page 13789**

Stevens (for Biden) Amendment No. 3507, to provide certain authorities related to the transfer of defense articles. **Page 13789**

Stevens (for Mikulski/Sarbanes) Amendment No. 3516, to make available, from amounts appropriated for "Research, Development, Test, and Evaluation, Air Force", $7,000,000 for AN/APG–68(V)10 radar development for F–16 aircraft. **Page 13790**

Stevens (for Nelson (FL)) Amendment No. 3517, to make available up to $5,000,000 for the Joint Test and Training Rapid Advanced Capabilities (JTTRAC) Program. **Page 13790**

Stevens (for Shelby) Amendment No. 3518, clarifying the availability of highway trust funds. **Page 13790**

By 89 yeas to 9 nays (Vote No. 147), Byrd Amendment No. 3502, to express the sense of the Senate on budgeting and funding of ongoing military operations overseas. **Pages 13787, 13791**

Stevens (for Dodd/Lieberman) Amendment No. 3522, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Army, $10,000,000 for the Broad Area Unmanned Responsive Resupply Operations aircraft program. **Page 13793**

Stevens (for Nickles) Amendment No. 3523, to make available from amounts appropriated for "Research, Development, Test, and Evaluation, Navy", $2,000,000 for Handheld Breath Diagnostics. **Page 13793**

Stevens (for Landrieu) Amendment No. 3524, to set aside an amount for the Joint Logistics Information System program for the automated scheduling tool. **Page 13793**

Stevens (for Bunning) Amendment No. 3525, to set aside an amount for the Anti-Sniper Infrared Targeting System. **Page 13793**

Stevens (for Voinovich/DeWine) Amendment No. 3526, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Army, $3,500,000 for Laser Peening for Army helicopters. **Page 13793**

Stevens (for Voinovich/DeWine) Amendment No. 3527, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Air Force, $2,000,000 for All Composite Military Vehicles. **Page 13793**

Stevens (for Boxer) Amendment No. 3528, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Defense-wide, $4,500,000 for development of the Suicide Bomber Detection System Using a Portable Electronic Scanning Millimeter-Wave Imaging RADAR. **Page 13793**

Stevens (for Burns) Amendment No. 3529, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Navy, up to $3,000,000 for the Mobile On-Scene Sensor Aircraft Intelligence Command, Control, and Computer Centers. **Page 13794**

Stevens (for Burns) Amendment No. 3530, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Army, up to $2,000,000 for the "Care of Battlefield Wounds'. **Page 13794**

Stevens (for Roberts) Amendment No. 3531, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Army, $8,000,000 for the United States Army Intelligence and Security Command's Information Dominance Center. **Page 13794**

Stevens (for Kyl) Amendment No. 3532, to specify the availability of amounts for the Subterranean Target Identification Program. **Page 13794**

Stevens (for Kyl) Amendment No. 3533, to specify the availability of amounts for the Program for Intelligence Validation. **Page 13794**

Stevens (for Kyl) Amendment No. 3534, to express the sense of Congress on the continued development of an end-to-end point of care clinical diagnostic network to combat terrorism. **Page 13794**

Stevens (for Kyl) Amendment No. 3535, to specify the availability of amounts for the Versatile, Advanced Affordable Turbine Engine. **Page 13795**

Stevens (for Talent) Amendment No. 3536, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Air Force, $5,000,000 for X–43C development. **Page 13795**

Stevens (for Pryor) Amendment No. 3537, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Defense-Wide, $5,000,000 for medical equipment and combat casualty care technologies. **Page 13795**

Stevens (for Sununu) Amendment No. 3538, to make available up to $2,000,000 for the Advanced Composite Radome Project. **Page 13795**

Stevens (for Levin) Amendment No. 3539, to authorize the demolition of facilities and improvements on certain

military installations approved for closure under the defense base closure and realignment process. Page 13795

Stevens (for Conrad) Amendment No. 3540, to set aside an amount for F–16 Theater Airborne Reconnaissance System upgrades. Page 13795

Stevens (for Kohl/Reed) Amendment No. 3541, to ensure the availability of sufficient fiscal year 2004 funding for the Manufacturing Extension Partnership program of the National Institute of Standards and Technology. Page 13796

Stevens (for DeWine) Amendment No. 3542, to require reports on mental health services available to members of the Armed Forces of the United States and their dependents. Page 13797

Stevens (for Feinstein) Amendment No. 3543, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Navy, $5,000,000 for support of the TIGER pathogen detection system. Page 13797

Inouye (for Dorgan) Amendment No. 3544, to provide funds for the North Dakota State School of Science, Bismarck State College, and Minot State University. Page 13797

Inouye Amendment No. 3545, to set aside an amount for small business development and transition. Page 13797

Rejected:

Biden Modified Amendment No. 3520, to appropriate funds for bilateral economic assistance. (By 53 yeas to 45 nays (Vote No. 148), Senate tabled the amendment.) Pages 13791, 13796, 13798

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Stevens, Cochran, Specter, Domenici, Bond, McConnell, Shelby, Gregg, Hutchison, Burns, Inouye, Hollings, Byrd, Leahy, Harkin, Dorgan, Durbin, Reid, and Feinstein. Page 13806

Burma Sanctions: By 96 yeas to 1 nay (Vote No. 150), Senate passed H.J. Res. 97, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, clearing the measure for the President. Page 13806

Middle East Peace Process: By 95 yeas to 3 nays (Vote No. 151), Senate agreed to S. Res. 393, expressing the sense of the Senate in support of United States policy for a Middle East peace process. Page 13810

United Nations Democracy Caucus: Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 83, promoting the establishment of a democracy caucus within the United Nations, and the resolution was then agreed to. Page 13906

Western Shoshone Claims Distribution Act: Senate passed H.R. 884, to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326–A–1, 326–A–3, and 326–K, clearing the measure for the President. Page 13907

AGOA Acceleration Act: Senate passed H.R. 4103, to extend and modify the trade benefits under the African Growth and Opportunity Act, clearing the measure for the President. Page 13908

Recognizing J. Robert Oppenheimer: Senate agreed to S. Res. 321, recognizing the loyal service and outstanding contributions of J. Robert Oppenheimer to the United States and calling on the Secretary of Energy to observe the 100th anniversary of Dr. Oppenheimer's birth with appropriate programs at the Department of Energy and the Los Alamos National Laboratory. Page 13908

Legal Representation Authorization: Senate agreed to S. Res. 394, to authorize testimony and representation in the United States v. Daniel Bayly, et al. Page 13908

Legal Representation Authorization: Senate agreed to S. Res. 395, to authorize testimony, document production, and legal representation in Ulysses J. Ward v. Dep't of the Army. Page 13909

Commemorating Pennsylvania State University 150th Anniversary: Senate agreed to S. Res. 396, commemorating the 150th anniversary of the founding of The Pennsylvania State University. Page 13909

Iraq Transition: Senate agreed to S. Res. 397, expressing the sense of the Senate on the transition of Iraq to a constitutionally elected government. Page 13910

GAO Human Capital Reform Act: Committee on Governmental Affairs was discharged from further consideration of H.R. 2751, to provide new human capital flexibilities with respect to the GAO, and the bill was then passed, clearing the measure for the President. Page 13911

D.C. Courts Long-Term Care Insurance Participation: Senate passed S. 2322, to amend chapter 90 of title 5, United States Code, to include employees of the District of Columbia courts as participants in long term care insurance for Federal employees. Page 13911

Adjournment Resolution: Senate agreed to S. Con. Res. 120, providing for a conditional adjournment or recess of the Senate and the House of Representatives. Page 13912

Burma Sanctions—Agreement: A unanimous-consent agreement was reached providing for the consideration of S.J. Res. 39, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, that the statutory time limit be yielded back, the resolution be read a third time, and then returned to the Senate calendar. Page 13806

National Defense Authorization Act—Conferees: A unanimous-consent agreement was reached relative to

H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, previously passed by the Senate on Wednesday, June 23, 2004, that the Senate insist on its amendment, request a conference with the House thereon, and the Chair be authorized to appoint the following conferees on the part of the Senate: Senators Warner, McCain, Inhofe, Roberts, Allard, Sessions, Collins, Ensign, Talent, Chambliss, Graham (SC), Dole, Cornyn, Levin, Kennedy, Byrd, Lieberman, Reed, Akaka, Nelson (FL), Nelson (NE), Dayton, Bayh, Clinton, and Pryor. **Page 13915**

Also, a unanimous-consent agreement was reached with respect to further consideration of S. 2400, S. 2401, S. 2402, and S. 2403, Senate companion measures (all passed by the Senate on Wednesday, June 23, 2004); that if the Senate receives a message, with respect to any of these bills, from the House of Representatives, the Senate disagree with the House on its amendment or amendments to the Senate-passed bill and agree to or request a conference, as appropriate, with the House on the disagreeing votes of the two Houses; that the Chair be authorized to appoint conferees on the part of the Senate; and that the foregoing occur without intervening action or debate. **Page 13912**

Appointments:

Parents Advisory Council on Youth Drug Abuse: The Chair, on behalf of the Majority Leader, pursuant to Public Law 105–277, Section 710, 2(A)(ii), appointed the following individual to serve as a member of the Parents Advisory Council on Youth Drug Abuse: Laurens Tullock, of Tennessee. **Page 13912**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the report of the continuation of the national emergency with respect to the Western Balkans; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–89) **Page 13837**

Nominations Confirmed: Senate confirmed the following nominations:

By 70 yeas 27 nays (Vote No. Ex. 152), Diane S. Sykes, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit. **Pages 13773, 13811, 13918**

Dora L. Irizarry, of New York, to be United States District Judge for the Eastern District of New York.

Peter W. Hall, of Vermont, to be United States Circuit Judge for the Second Circuit.

Robert Bryan Harwell, of South Carolina, to be United States District Judge for the District of South Carolina.

George P. Schiavelli, of California, to be United States District Judge for the Central District of California.

William Duane Benton, of Missouri, to be United States Circuit Judge for the Eighth Circuit.

John C. Danforth, of Missouri, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations.

John C. Danforth, of Missouri, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations.

10 Air Force nominations in the rank of general.

14 Army nominations in the rank of general.

8 Marine Corps nominations in the rank of general.

31 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Page 13918**

Nominations Received: Senate received the following nominations:

Kiron Kanina Skinner, of Pennsylvania, to be a Member of the National Security Education Board for a term of four years.

Cathy M. MacFarlane, of Virginia, to be an Assistant Secretary of Housing and Urban Development.

Dennis C. Shea, of Virginia, to be an Assistant Secretary of Housing and Urban Development.

Romolo A. Bernardi, of New York, to be Deputy Secretary of Housing and Urban Development.

Kirk Van Tine, of Virginia, to be Deputy Secretary of Transportation.

Sue Ellen Wooldridge, of Virginia, to be Solicitor of the Department of the Interior.

Charles Johnson, of Utah, to be Chief Financial Officer, Environmental Protection Agency.

Ann R. Klee, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency.

Adam Marc Lindemann, of New York, to be a Member of the Advisory Board for Cuba Broadcasting for a term expiring October 27, 2005.

Edward Brehm, of Minnesota, to be a Member of the Board of Directors of the African Development Foundation for a term expiring November 13, 2007.

Beverly Allen, of Georgia, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2008.

Gail Daly, of Texas, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2008. (New Position)

Donald Leslie, of Wisconsin, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2006. (New Position)

Amy Owen, of Utah, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2008. (New Position)

Sandra Pickett, of Texas, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2005. (New Position)

Renee Swartz, of New Jersey, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2007. (New Position)

Kim Wang, of California, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2004. (New Position)

Juanita Alicia Vasquez-Gardner, of Texas, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2009 (Reappointment), to which position she was appointed during the last recess of the Senate.

Deborah Ann Spagnoli, of California, to be a Commissioner of the United States Parole Commission for a term of six years.

1 Army nomination in the rank of general.

A routine list in the Navy. **Page 13916**

Messages From the House: **Page 13837**

Measures Referred: **Page 13837**

Measures Read First Time: **Page 13837**

Executive Communications: **Page 13837**

Petitions and Memorials: **Page 13838**

Executive Reports of Committees: **Page 13842**

Additional Cosponsors: **Page 13846**

Statements on Introduced Bills/Resolutions: **Page 13847**

Additional Statements: **Page 13833**

Amendments Submitted: **Page 13899**

Authority for Committees to Meet: **Page 13905**

Privilege of the Floor: **Page 13906**

Record Votes: Six record votes were taken today. (Total—152) **Pages 13791, 13798, 13806, 13810–12**

Adjournment: Senate convened at 10:01 a.m., and adjourned at 9:06 p.m., until 9:30 a.m., on Friday, June 25, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 13916.)

Committee Meetings

HEALTHY FORESTS RESTORATION ACT

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Forestry, Conservation, and Rural Revitalization concluded a hearing to examine the implementation of the Healthy Forests Restoration Act (P.L. 108–148), after receiving testimony from Mark Rey, Under Secretary of Agriculture for Natural Resources and the Environment; Chad Calvert, Deputy Assistant Secretary of the Interior for Land and Minerals Management; James L. Sledge, Mississippi Forestry Commission, Jackson, on behalf of the National Association of State Foresters; Robert Cope, Lemhi County Board of Commissioners, Salmon, Idaho, on behalf of the National Association of Counties and the Idaho Association of Counties; Carol Daly, Communities Committee of the Seventh American Forest Congress, Columbia Falls, Montana, on behalf of the Society of American Foresters; James R. Crouch, Jim Crouch and Associates, Russellville, Arkansas, on behalf of sundry organizations; Tom Partin, American Forest Resource Council, Portland, Oregon; and James Earl Kennamer, National Wild Turkey Federation, Edgefield, South Carolina.

AIRLINE DENIAL AUTHORITY

Committee on Appropriations: Subcommittee on Transportation, Treasury, and General Government concluded an oversight hearing to examine passenger screening and airline authority to deny plane boarding, after receiving testimony from Jeff Rosen, General Counsel, Department of Transportation; Tom Blank, Assistant Administrator, Office of Transportation Security Policy, Transportation Security Administration, Department of Homeland Security; Michael Smerconish, WPHT–AM, Philadelphia, Pennsylvania; Peggy Sterling, American Airlines, Dallas, Texas; and Christy E. Lopez, Relman and Associates, Washington, D.C.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nomination of General George W. Casey, Jr., USA, for reappointment to the grade of general and to be Commander, Multi-National Force-Iraq, and 2,249 nominations in the Army, Navy, Marine Corps, and Air Force.

Prior to this action, committee concluded hearings on the nomination of General George W. Casey, Jr. (listed above), after the nominee testified and answered questions in his own behalf.

ICRC REPORTS

Committee on Armed Services: Committee met in closed session to receive a briefing regarding ICRC Reports on U.S. military detainee operations from officials of the Department of Defense.

AVIATION SECURITY

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation concluded a hearing to examine security screening options for airports, focusing on the status of the private screening pilot (PP5) program and TSA's plans to implement the Federal screening opt-out provisions of the Aviation and Transportation Security Act, after receiving testimony from Thomas Blank, Assistant Administrator for Transportation Security Policy, Transportation Security Administration, Department of Homeland Security; Patrick Pacious, BearingPoint, Inc., McLean, Virginia; Terry Anderson, Tupelo Regional Airport, Tupelo, Mississippi; and Richard A. Atkinson, III,

Central West Virginia Regional Airport Authority, Charleston.

EARTHQUAKE HAZARDS REDUCTION AUTHORIZATION

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space concluded a hearing to examine H.R. 2608, to reauthorize the National Earthquake Hazards Reduction Program, after receiving testimony from David Applegate, Senior Science Advisor for Earthquake and Geologic Hazards, U.S. Geological Survey, Department of the Interior; Archibald C. Reid, III, Acting Deputy Director, Mitigation Division, Emergency Preparedness and Response Directorate, Department of Homeland Security; Sivaraj Shyam-Sunder, Acting Deputy Director, Building and Fire Research Laboratory, National Institute of Standards and Technology, Technology Administration, Department of Commerce; and A. Galip Ulsoy, Director, Division of Civil and Mechanical Systems, National Science Foundation.

NATIONAL HERITAGE PARTNERSHIP ACT

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 2543, to establish a program and criteria for National Heritage Areas in the United States, after receiving testimony from A. Durand Jones, Deputy Director, National Park Service, Department of the Interior; Barry T. Hill, Director, Natural Resources and Environment, General Accounting Office; Daniel M. Rice, Ohio and Erie Canalway Coalition, Akron, Ohio, on behalf of the Advocacy Committee of the Alliance of National Heritage Areas; and Robert J. Smith, Center for Private Conservation, and Craig D. Obey, National Parks Conservation Association, both of Washington, D.C.

BUSINESS MEETING

Committee on Finance: Committee failed to approve the Committee's recommendation, as amended, to the proposed legislation implementing the U.S.-Australia Free Trade Agreement.

IRAQ

Committee on Foreign Relations: on Wednesday, June 23, Committee met in closed session to receive a briefing on the situation in Iraq with regard to the June 30, 2004 transition from Colin L. Powell, Secretary of State.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported S. 1735, to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang prevention programs, with an amendment in the nature of a substitute.

House of Representatives

Chamber Action

Measures Introduced: 36 public bills, H.R. 4677–4712; 1 private bill, H.R. 4713; and 5 resolutions, H. Con. Res. 465–467, and H. Res. 695–697, were introduced.

Page 14097

Additional Cosponsors: Page 14099

Reports Filed: Reports were filed today as follows:

H.R. 3916, to improve circulation of the $1 coin, create a new bullion coin, amended (H. Rept. 108–568); and

H. Res. 694, providing for consideration of H.R. 4614, Energy and Water Development Appropriations Act for fiscal year 2005 (H. Rept. 108–569). Page 14097

Chaplain: The Prayer was offered today by Rev. Dr. Keith Boone, Pastor, First United Methodist Church in Rockwall, Texas. Page 13921

Revising the Budget Resolution for FY 2005: The House rejected H. Res. 685, revising the concurrent resolution on the budget for fiscal year 2005 as it applies in the House of Representatives, by a yea-and-nay vote of 184 yeas to 230 nays, Roll No. 301. Page 13934

The measure was considered under a unanimous consent agreement that was reached on Tuesday, June 22.

Suspension: The House agreed to suspend the rules and pass the following measure which was debated on Wednesday, June 23:

Recognizing the 40th Anniversary of Congressional passage of the Civil Rights Act of 1964: H. Res. 676, recognizing and honoring the 40th anniversary of congressional passage of the Civil Rights Act of 1964, by a ⅔ yea-and-nay vote of 414 yeas to 1 nay, Roll No. 304. Page 13950

Child Nutrition and WIC Reauthorization Act of 2004: The House agreed to take from the Speaker's table and pass S. 2507, to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to provide children with increased access to food and nutrition assistance, to simplify program operations and improve program management, to reauthorize child nutrition programs—clearing the measure for the President. Page 13951

Resolution Congratulating the Interim Government of Iraq: The House agreed to H. Res. 691, congratulating the interim government of Iraq on its assumption of full responsibility and authority as a sovereign govern-

ment, by a yea-and-nay vote of 352 yeas to 57 nays, Roll No. 319. **Pages 13975, 14092**

The measure was considered under a unanimous consent agreement reached on Wednesday, June 23.

Spending Control Act of 2004: The House failed to pass H.R. 4663, to amend part C of the Balanced Budget and Emergency Deficit Control Act of 1985 to establish discretionary spending limits and a pay-as-you-go requirement for mandatory spending, by a recorded vote of 146 ayes to 268 noes, Roll No. 318. **Page 13984**

Rejected the Stenholm motion to recommit the bill to the Committee on the Budget with instructions to report the bill back to the House forthwith with an amendment, by a recorded vote of 196 ayes to 218 noes, Roll No. 317. **Page 14090**

Agreed by unanimous consent to consider the Young amendment (No. 18 printed in H. Rept. 108–566) out of order and allow it to be subsequently withdrawn. **Page 14020**

Agreed to:

Brady amendment (No. 1 printed in H. Rept. 108–566) that establishes a Federal Sunset Commission to review all federal agencies and programs for their efficiency, effectiveness, redundancy, and need (by a recorded vote of 272 ayes to 140 noes, Roll No. 305); and **Pages 13995, 14011**

Kirk amendment (No. 6 printed in H. Rept. 108–566) that requires the Congressional Budget Office to prepare an annual analysis that compares budgeted entitlement spending to actual entitlement spending (by a recorded vote of 289 ayes to 121 noes, Roll No. 310). **Pages 14020, 14036**

Rejected:

Chocola amendment (No. 2 printed in H. Rept. 108–566) that sought to replace the 20 budget functions with a one-page budget that divides spending into five categories (by a recorded vote of 126 ayes to 290 noes, Roll No. 306); **Pages 13998, 14012**

Castle amendment (No. 3 printed in H. Rept. 108–566) that sought to eliminate the requirement of providing budget authority and outlays for the functional categories in the budget resolution (by a recorded vote of 185 ayes to 230 noes, Roll No. 307); **Pages 14001, 14012**

Hensarling amendment (No. 4 printed in H. Rept. 108–566) that sought to impose an entitlement cap whereby the total level of direct spending is limited to inflation and the growth in a given program's beneficiary population (by a recorded vote of 96 ayes to 317 noes, Roll No. 308); **Pages 14003, 14013**

Hensarling amendment (No. 5 printed in H. Rept. 108–566) that sought to provide for an automatic continuing resolution in the event that an agreement is not reached on spending levels by the legal deadline (by a recorded vote of 111 ayes to 304 noes, Roll No. 309); **Pages 14009, 14014**

Ryan of Wisconsin amendment (No. 7 printed in H. Rept. 108–566) that sought to convert the current nonbinding budget resolution into a joint budget resolution that if signed by the President would have the force of law (by a recorded vote of 97 ayes to 312 noes, Roll No. 311); **Pages 14021, 14036**

Ryan of Wisconsin amendment (No. 8 printed in H. Rept. 108–566) that sought to establish Budget Protection Accounts which would allow Congress to target spending during the appropriation and direct spending processes and redirect that spending for deficit reduction at the end of the fiscal year (by a recorded vote of 137 ayes to 272 noes, Roll No. 312); **Pages 14025, 14037**

Ryan of Wisconsin amendment (No. 9 printed in H. Rept. 108–566) that sought to initiate enhanced rescission for the President to propose the elimination of wasteful spending identified in appropriations bills (by a recorded vote of 174 ayes to 237 noes, Roll No. 313); **Pages 14027, 14038**

Spratt amendment in the nature of a substitute (No. 15 printed in H. Rept. 108–566) that restores the original Pay-As-You-Go rules as they were originally established under the 1990 Budget Enforcement Act and extended in 1997 (by a recorded vote of 179 ayes to 233 noes, Roll No. 314); **Pages 14030, 14038**

Hensarling amendment in the nature of a substitute (No. 16 printed in H. Rept. 108–566) that sought to make several major changes to the current budget process (by a recorded vote of 88 ayes to 326 noes, Roll No. 315); and **Pages 14039, 14089**

Kirk amendment in the nature of a substitute (No. 17 printed in H. Rept. 108–566) that sought to make a number of changes to the current budget process (by a recorded vote of 120 ayes to 296 noes, Roll No. 316). **Pages 14070, 14089**

Withdrawn:

Young of Florida amendment in the nature of a substitute (No. 18 printed in H. Rept. 108–566) that was offered and subsequently withdrawn that sought to require sequestration of mandatory spending in the event that the OMB baseline estimates of mandatory spending exceed previous estimates due to enacted legislation; require baseline estimates to exclude emergency spending; provide an exception for outlay components of certain expiring receipts legislation when making estimates of mandatory spending legislation; change the start date of the fiscal year to November 1; require sunsetting of all Federal programs (except earned entitlements) effective October 1, 2006, unless reauthorized prior to that date; require an adjustment to Appropriations Committee 302(a) allocations to ensure that the transportation guarantees contemplated in TEALU and Vision 100 are fully met; and make technical and conforming changes to the Balanced Budget and Emergency Deficit Control Act of 1985. **Page 14015**

H. Res. 692, the rule providing for consideration of the bill was agreed to by a recorded vote of 217 ayes to 197 noes, Roll No. 303, after agreeing to order the previous question by a yea-and-nay vote of 217 yeas to 197 nays, Roll No. 302. **Pages 13924, 13943**

Election Assistance Commission Board of Advisors: The Chair announced the Speaker's appointment of Mr. J.C. Watts, Jr., of Norman, Oklahoma to serve a two-year term on the Election Assistance Commission Board of Advisors. **Page 14094**

Presidential Message: Read a message from the President wherein he notified the Congress of the continuation of the national emergency with respect to the Western Balkans—referred to the Committee on International Relations and ordered printed (H. Doc. 108–196). **Page 13983**

Senate Message: Message received from the Senate today appears on page 13921.

Amendments: Amendments ordered printed pursuant to the rule appear on page 14100.

Quorum Calls—Votes: Four yea-and-nay votes and fifteen recorded votes developed during the proceedings of today and appear on pages 13948–51, 14011–14, 14036–39, and 14089–93. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12:23 a.m. on Friday, June 25.

Committee Meetings

DOD—CONTRACTOR SUPPORT

Committee on Armed Services: Subcommittee on Readiness held a hearing on contractor support in the Department of Defense. Testimony was heard from the following officials of the Department of Defense: Michael W. Wynne, Acting Under Secretary, Acquisition, Technology and Logistics; John J. Young, Jr., Assistant Secretary, Research, Development and Acquisition, U.S. Navy; Marvin R. Sambur, Assistant Secretary, Acquisition, U.S. Air Force; and Tina Ballard, Deputy Assistant Secretary, Policy and Procurement, U.S. Army.

DOD—SMALL CALIBER AMMUNITION PROGRAMS

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on Department of Defense small caliber ammunition programs. Testimony was heard from the following officials of the Department of the Army: MG Buford C. Blount, III, USA, Assistant Deputy Chief of Staff, G–3; BG Paul S. Izzo, USA, Program Executive Officer, Ammunition; and BG James Rafferty, USA, Deputy Commander, Joint Munitions Command; and public witnesses.

INNOVATIVE HEALTH INSURANCE OPTIONS

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing entitled "Examining Innovative Health Insurance Options for Workers and Employers." Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Ordered reported the following bills: H.R. 2929, amended, Safeguard Against Privacy Invasions Act; H.R. 2023, amended, Asthmatic Schoolchildren's Treatment and Health Management Act of 2003; S. 741, Minor Use and Minor Species Animal Health Act of 2004; H.R. 4555, amended, Mammography Quality Standards Reauthorization Act of 2004; H.R. 3981, amended, To reclassify fees paid into the Nuclear Waste Fund as offsetting collections; and H.R. 4600, amended, Junk Fax Prevention Act of 2004.

HOSPITAL BILLING AND COLLECTION PRACTICES

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "A Review of Hospital Billing and Collection Practices." Testimony was heard from the following officials of the Department of Health and Human Services: Herb Kuhn, Director, Center for Medicare Management, Centers for Medicare and Medicaid Services; and Lewis Morris, Chief Counsel, Office of Inspector General; and pubic witnesses.

OVERSIGHT—PUBLIC ACCOUNTING OVERSIGHT BOARD

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held an oversight hearing on the Public Company Accounting Oversight Board, Testimony was heard from William J. McDonough, Chairman, Public Company Accounting Oversight Board.

MISCELLANEOUS MEASURES; TARGET WASHINGTON: COORDINATING HOMELAND SECURITY EFFORTS

Committee on Government Reform: Ordered reported the following bills: S. 129, amended, Federal Workforce Flexibility Act of 2003; H.R. 3340, To redesignate the facilities of the United States Postal Service located at 7715 and 7748 S. Cottage Grove Avenue in Chicago, Illinois, as the "James E. Worsham Post Office" and the "James E. Worsham Carrier Annex Building", respectively; H.R. 4327, To designate the facility of the United States Postal Service located at 7450 Natural Bridge Road in St. Louis Missouri, as the "Vitilas 'Veto' Reid Post Office Building"; and H.R. 4427, To designate the facility of the United States Postal Service located at 73 South Euclid Avenue in Montauk, New York, as the "Perry B. Duryea, Jr., Post Office".

The Committee also held a hearing entitled Target Washington: Coordinating Federal Homeland Security Efforts with Local Jurisdictions in the National Capital Region. Testimony was heard from Thomas Lockwood, Director, Office of National Capital Region Coordination, Department of Homeland Security; William O. Jenkins, Director, Homeland Security, GAO; George Foresman, Assistant to the Governor for Preparedness, State of Virginia; Dennis Schrader, Director, Office of Homeland Security, State of Maryland; Barbara Childs-Pair, Director, Emergency Management Agency, District of Columbia; and public witnesses.

LIVING WITH DISABILITIES

Committee on Government Reform: Subcommittee on Human Rights and Wellness held a hearing entitled "Living with Disabilities in the United States: A Snapshot." Testimony was heard from Representative Langevin; Troy Justesen, Acting Assistant Secretary, Office of Special Education and Rehabilitation Services, Department of Education; Don Young, Deputy Assistant Secretary, Office of Health Policy, Department of Health and Human Services; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Ordered reported the following bills: H.R. 4303, amended, American Schools Abroad Support Act; and H.R. 4654, To reauthorize the Tropical Forest Conservation Act of 1998 through Fiscal Year 2007.

The Committee also favorably considered and adopted a motion urging the chairman to request that the following measures be considered on the Suspension Calendar: H.R. 1587, amended, Viet Nam Human Rights Act of 2003; H.R. 4660, to amend the Millennium Challenge Act of 2003 to extend the authority to provide assistance to countries seeking to become eligible countries for purposes of that Act; H. Res. 615, amended, Expressing the sense of the House of Representatives in support of full membership of Israel in the Western European and Others Group (WEOG) at the United Nations; H. Res. 617, amended, Expressing support for the accession of Israel to the Organization for Economic Co-operation and Development (OCED); H. Res. 652, Urging the Government of the Republic of Belarus to ensure a democratic, transparent, and fair election process for its parliamentary elections in the fall of 2004; H. Res. 667, Expressing support for freedom in Hong Kong; H. Con. Res. 462, Reaffirming unwaivering commitment to the Taiwan Relations Act; H. Con. Res. 304, Expressing the sense of Congress regarding oppression by the Government of the People's Republic of China of Falun Gong in the United States and in China; H. Con. Res. 319, amended, Expressing the grave concern of Congress regarding the continuing repression of the religious freedom and human rights of the Iranian Baha'i community by the Government of Iran; H. Con. Res. 363, amended, Expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian people by the Government of the Syrian Arab Republic; H. Con. Res. 436, amended, Celebrating 10 years of majority rule in the Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country; H. Con. Res. 415, Urging the Government of Ukraine to ensure a democratic, transparent, and fair election process for the presidential election on October 31, 2004; H. Con. Res. 418, Recognizing the importance in history of the 150th anniversary of the establishment of diplomatic relations between the United States and Japan; H. Con. Res. 422, Concerning the importance of the distribution of food in schools to hungry or malnourished children around the world; and S. 2264, Northern Uganda Crisis Response Act.

AFRICA—CONFRONTING WAR CRIMES

Committee on International Relations: Subcommittee on Africa held a hearing on Confronting War Crimes in Africa. Testimony was heard from Pierre-Richard Prosper, Ambassador-at-Large, Office of War Crimes Issues, Department of State; and public witnesses

TRAFFICKING IN PERSONS

Committee on International Relations: Subcommittee on International Terrorism, Nonproliferation and Human Rights held a hearing on Trafficking in Persons: A Global Review. Testimony was heard from John Miller, Senior Advisor to the Secretary and Director, Office to Monitor and Combat Trafficking in Persons, Department of State; and public witnesses.

IRANIAN PROLIFERATION

Committee on International Relations: Subcommittee on the Middle East and Central Asia held a hearing on Iranian Proliferation: Implications for Terrorists, their State-Sponsors, and U.S. Counter-proliferation Policy, Testimony was heard from John R. Bolton, Under Secretary, Arms Control and International Security Affairs, Department of State; Peter Flory, Principal Deputy Assistant Secretary, International Security Affairs, Department of Defense; and public witnesses.

OVERSIGHT—ADMINISTRATIVE CONFERENCE

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law continued oversight hearings on the Administrative Conference of the United States, II: Why is There a Need to Reauthorize the Conference? Testimony was heard from public witnesses.

OVERSIGHT—LIMITING FEDERAL COURT JURISDICTION TO PROTECT MARRIAGE FOR THE STATES

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing entitled "Limiting Federal

Court Jurisdiction to Protect Marriage for the States." Testimony was heard from former Representative William E. Dannemeyer, State of California; and public witnesses.

DC—ADDITIONAL COURT; OVERSIGHT—PATENT QUALITY IMPROVEMENT

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property approved for full Committee action H.R. 112, To amend title 28, United States Code, to provide for an additional place of holding court in the District of Columbia.

The Subcommittee also held an oversight hearing entitled "Patent Quality Improvement: Post-Grant Opposition." Testimony was heard from James A. Toupin, General Counsel, Patent and Trademark Office, Department of Commerce; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Held a hearing on the following bills: H.R. 831, To provide for and approve the settlement of certain land claims of the Bay Mills Indian Community; and H.R. 2793, To provide for and approve the settlement of certain land claims of the Sault Ste. Marie Tribe of Chippewa Indians. Testimony was heard from Representatives Dingell, Rogers of Michigan and Stupak; Aurene Martin, Deputy Assistant Secretary, Indian Affairs, Department of the Interior; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Energy and Mineral Resources held a hearing on the following: H.R. 4010, National Geologic Mapping Reauthorization Act of 2004; and H.R. 4625, To reduce temporarily the royalty required to be paid for sodium produced on Federal lands. Testimony was heard from P. Patrick Leahy, Associate Director, Geology, U.S. Geological Survey, Department of the Interior; and public witnesses.

AMERICAN AQUACULTURE AND FISHERIES RESOURCES PROTECTION ACT

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held a hearing on H.R. 3320, American Aquaculture and Fisheries Resources Protection Act. Testimony was heard from Representative Ross; John Hogan, Deputy Director, U.S. Fish and Wildlife Service, Department of the Interior; and public witnesses.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2005

Committee on Rules: Granted, by voice vote, an open rule providing one hour of general debate on H.R. 4614, Energy and Water Development Appropriations Act, 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Hobson, Gibbons, Wilson of New Mexico, Visclosky, Eshoo, and Lofgren.

NUCLEAR R&D—IDAHO NATIONAL LABORATORY

Committee on Science: Subcommittee on Energy held a hearing on Nuclear R&D and the Idaho National Laboratory. Testimony was heard from William D. Magwood, IV, Director, Office of Nuclear Energy, Science and Technology, Department of Energy; and public witnesses.

VOTING EQUIPMENT—TESTING AND CERTIFICATION

Committee on Science: Subcommittee on Environment, Technology and Standards held a hearing on Testing and Certification for Voting Equipment: How Can the Process Be Improved? Testimony was heard from Hratch Szerjian, Acting Director, National Institute of Standards and Technology, Department of Commerce; and public witnesses.

OVERSIGHT—UPPER MISSISSIPPI AND ILLINOIS RIVERS

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held an oversight hearing on Upper Mississippi and Illinois Rivers—Recommendations for Navigation Improvements and Ecosystem Restoration. Testimony was heard from Representative Gutknecht; MG Carl Strock, USA, Director of Civil Works, Corps of Engineers, Department of the Army; John Jamian, Deputy Administrator, Maritime Administration, Department of Transportation; A. J. Yates, Administrator, Agricultural Marketing Service, USDA; Benjamin N. Tuggle, Chief, Division of Habitat and Resource Conservation; Jerri-Anne Garl, Director, Region 5, EPA; and public witnesses.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Subcommittee on Health held a hearing on the Department of Veterans Affairs Real Property and Facilities Management Improvement Act of 2004. Testimony was heard from Anthony J. Principi, Secretary of Veterans Affairs; representatives of veterans organizations; and public witnesses.

CUSTOMS AND BORDER SECURITY ACT OF 2004

Committee on Ways and Means: Subcommittee on Trade approved for full Committee action, as amended, H.R. 4418, Customs and Border Security Act of 2004.

INFORMATION SHARING AFTER 9/11

Select Committee on Homeland Security: Held a hearing entitled "Information Sharing After September 11: Perspectives on the Future." Testimony was heard from James Gilmore, Chair, Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction; and public witnesses.

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Friday, June 25, 2004

Senate

Chamber Action

Routine Proceedings, pages 14117–42

Measures Introduced: One bill was introduced as follows: S. 2606. **Page 14130**

Measures reported:

S. 2180, to direct the Secretary of Agriculture to exchange certain lands in the Arapaho and Roosevelt National Forests in the State of Colorado, with an amendment in the nature of a substitute. (S. Rept. No. 108–285)

S. 2243, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska. (S. Rept. No. 108–286)

H.R. 1648, to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District. (S. Rept. No. 108–287)

H.R. 1732, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project. (S. Rept. No. 108–288)

H.R. 3209, to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project. (S. Rept. No. 108–289)

S. 2479, to amend chapter 84 of title 5, United States Code, to provide for Federal employees to make elections to make, modify, and terminate contributions to the Thrift Savings Fund at any time. (S. Rept. No. 108–290) **Page 14130**

Measures Passed:

CREATE Act: Senate passed S. 2192, to amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises. **Page 14133**

Protecting Intellectual Rights Against Theft and Expropriation Act: Senate passed S. 2237, to amend chapter 5 of title 17, United States Code, to authorize civil copyright enforcement by the Attorney General. **Page 14135**

Artists' Rights and Theft Prevention Act: Senate passed S. 1932, to provide criminal penalties for unauthorized recording of motion pictures in a motion picture exhibition facility, to provide criminal and civil penalties for unauthorized distribution of commercial prerelease copyrighted works, after agreeing to the committee amendment in the nature of a substitute. **Page 14136**

Servitude and Emancipation Archival Research Clearinghouse Act: Senate passed S. 1292, to establish a servitude and emancipation archival research clearinghouse in the National Archives, after agreeing to the committee amendments. **Page 14140**

Identity Theft Penalty Enhancement Act: Senate passed H.R. 1731, to amend title 18, United States Code, to establish penalties for aggravated identity theft, clearing the measure for the President. **Page 14140**

Tribal Forest Protection Act: Senate passed H.R. 3846, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into an agreement or contract with Indian tribes meeting certain criteria to carry out projects to protect Indian forest land, clearing the measure for the President. **Page 14141**

Authority for Committees—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, all committees were authorized to file legislative and executive reports during the adjournment of the Senate on Wednesday, June 30, 2004, from 10 a.m. until 12 noon. **Page 14132**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader and Senator Warner, be authorized to sign duly enrolled bills or joint resolutions. **Page 14132**

Appointment Authority—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Democratic Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page 14133**

Nomination—Agreement: A unanimous-consent agreement was reached providing for the consideration of the

nomination of J. Leon Holmes, of Arkansas, to be United States District Judge for the Eastern District of Arkansas, at 9:45 a.m., on Tuesday, July 6, 2004, with six hours of debate equally divided between the Chairman and Ranking Member of the Committee on the Judiciary, or their designees, followed by a vote on confirmation of the nomination. Page 14131

Nominations Confirmed: Senate confirmed the following nominations:

Benjamin A. Gilman, of New York, to be a Representative of the United States of America to the Fifty-eighth Session of the General Assembly of the United Nations.

Joseph D. Stafford III, of Florida, to be Ambassador to the Republic of The Gambia.

Lewis W. Lucke, of Texas, to be Ambassador to the Kingdom of Swaziland.

Jackson McDonald, of Florida, to be Ambassador to the Republic of Guinea. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

R. Niels Marquardt, of California, a Career Member of the Senior Foreign Service, Class of Counselor to be Ambassador to the Republic of Cameroon, and to serve concurrently and without additional compensation as Ambassador to the Republic of Equatorial Guinea.

James Francis Moriarty, of Virginia, to be Ambassador to the Kingdom of Nepal.

Anne W. Patterson, of Virginia, to be Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations.

Anne W. Patterson, of Virginia, to be a Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Deputy Representative of the United States of America to the United Nations.

Suzanne Hale, of Virginia, to be Ambassador to the Federated States of Micronesia.

James D. McGee, of Florida, to be Ambassador to the Republic of Madagascar. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Joyce A. Barr, of Washington, to be Ambassador to the Republic of Namibia. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

William R. Brownfield, of Texas, to be Ambassador to the Bolivarian Republic of Venezuela.

June Carter Perry, of the District of Columbia, to be Ambassador to the Kingdom of Lesotho. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Charles P. Ries, of the District of Columbia, to be Ambassador to Greece.

R. Barrie Walkley, of California, to be Ambassador to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Ralph Leo Boyce, Jr., of Virginia, to be Ambassador to the Kingdom of Thailand.

John Marshall Evans, of the District of Columbia, to be Ambassador to the Republic of Armenia.

Cynthia G. Efird, of the District of Columbia, to be Ambassador to the Republic of Angola. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Tom C. Korologos, of the District of Columbia, to be Ambassador to Belgium.

Christopher William Dell, of New Jersey, to be Ambassador to the Republic of Zimbabwe. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Douglas L. McElhaney, of Florida, to be Ambassador to Bosnia and Herzegovina.

William T. Monroe, of Virginia, to be Ambassador to the Kingdom of Bahrain.

A routine list in the Foreign Service.

Pages 14132, 14141

Messages From the House: Page 14130

Measures Referred: Page 14130

Measures Placed on Calendar: Page 14130

Measures Read First Time: Page 14130

Enrolled Bills Presented: Page 14130

Additional Cosponsors: Page 14130

Statements on Introduced Bills/Resolutions: Page 14131

Additional Statements: Page 14128

Adjournment: Senate met at 9:30 a.m., and, in accordance with the provisions of S. Con. Res. 120, adjourned at 11:40 a.m., until 9:45 a.m., on Tuesday, July 6, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 14141.)

Committee Meetings

IRAQ

Committee on Armed Services: Committee concluded a hearing to examine the transition to sovereignty in Iraq, focusing on U.S. policy, ongoing military operations, and status of U.S. Armed Forces, after receiving testimony from Paul D. Wolfowitz, Deputy Secretary of Defense; Richard L. Armitage, Deputy Secretary of State; and General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff.

DEMOCRACY IN VENEZUELA

Committee on Foreign Relations: On Thursday, June 24, Subcommittee on Western Hemisphere, Peace Corps, and Narcotics Affairs concluded a hearing to examine the state of democracy in Venezuela, focusing on Organization of American States (OAS) Permanent Council Resolution 833, to strengthen Venezuelan democracy and bring an end to political conflict, after receiving testimony from Roger F. Noriega, Assistant Secretary of State for Western Hemisphere Affairs; John F. Maisto, U.S. Permanent Representative to the Organization of American States; Jennifer McCoy, Carter Center, Atlanta, Georgia; and Jose Miguel Vivanco, Human Rights Watch, Miguel Diaz, Center for Strategic and International Studies, Roger Tissot, PFC Energy, and Mark Weisbrot, Center for Economic and Policy Research, all of Washington, D.C.

PERKINS VOCATIONAL AND TECHNICAL EDUCATION ACT

Committee on Health, Education, Labor, and Pensions: On Thursday, June 24, Committee concluded a hearing to examine the reauthorization of the Carl D. Perkins Vocational and Technical Education Act, focusing on community colleges, the challenges of serving rural populations, and "Project Lead the Way", after receiving testimony from Michael Rush, Idaho Division of Professional-Technical Education, Boise; Frank Blankenship, Columbiana County Career and Technical Center, Lisbon, Ohio; Jo Anne McFarland, Central Wyoming College, Riverton; Harry Lightsey, BellSouth, Columbia, South Carolina; and Angela Olszewski, Nontraditional Employment for Women (NEW), New York, New York.

House of Representatives

Chamber Action

Measures Introduced: 40 public bills, H.R. 4714–4753; and 4 resolutions, H. Con. Res. 468, and H. Res. 698–700, were introduced. **Page 14221**

Additional Cosponsors: **Page 14222**

Reports Filed: Reports were filed today as follows:

H.R. 3819, to redesignate Fort Clatsop National Memorial as the Lewis and Clark National Historical Park, to include in the park sites in the State of Washington as well as the State of Oregon, amended (H. Rept. 108–570);

H.R. 2831, to authorize the Secretary of the Interior to convey the Newlands Project Headquarters and Maintenance Yard Facility to the Truckee-Carson Irrigation District, amended (H. Rept. 108–571);

H.R. 1716, to amend title 38, United States Code, to improve educational assistance programs of the Department of Veterans Affairs for apprenticeship or other on-job training, amended (H. Rept. 108–572, Pt. 1); and

H.R. 2828, to authorize the Secretary of the Interior to implement water supply technology and infrastructure programs aimed at increasing and diversifying domestic water resources, amended (H. Rept. 108–573, Pt. 1).

Page 14220

Energy and Water Development Appropriations Act for FY 2005: The House passed H.R. 4614, making appropriations for energy and water development for the fiscal year ending September 30, 2005, by a yea and nay vote of 370 yeas to 16 nays, Roll No. 325. **Page 14154**

Agreed to limit the number of amendments made in order in the Committee of the Whole and the time for debate on those amendments. **Page 14190**

Agreed to:

Hobson amendment that prohibits the use of funds to finance laboratory directed research and development activities at the Department of Energy laboratories on behalf of other Federal agencies; **Page 14181**

Eshoo amendment that prohibits the use of funds to deny requests for the public release of documents or evidence obtained through or in the Western Energy Markets: Enron Investigation, the California Refund case, the Anomalous Bidding Investigation, or the Physical Withholding Investigation; **Page 14182**

Rejected:

Norton amendment (No. 4 printed in the Congressional Record of June 24) that sought to increase funding for construction for the Civil Department of the Army; **Page 14173**

Sanders amendment (No. 5 printed in the Congressional Record of June 24) that sought to increase funding for energy supply activities in carrying out the purposes of the Department of Energy Organization Act (by a recorded vote of 150 ayes to 241 noes, Roll No. 321) (agreed to limit the time for debate on the amendment); **Pages 14177, 14199**

Wilson of New Mexico amendment that sought to increase funding for defense nuclear nonproliferation (by a recorded vote of 163 ayes to 224 noes, Roll No. 322) (agreed to limit time for debate on the amendment); **Pages 14189, 14200**

Meehan amendment that sought to increase funding for defense nuclear nonproliferation (by a recorded vote of 151 ayes to 235 noes, Roll No. 323); and **Pages 14194, 14200**

Hefley amendment (No. 1 printed in the Congressional Record of June 23) that reduces the total funding in the Act by one percent (by a recorded vote of 68 ayes to 319 noes, Roll No. 324). **Pages 14197, 14201**

Withdrawn:

Hefley amendment (No. 2 printed in the Congressional Record of June 23) that was offered and subsequently

withdrawn that would have reduced funding for the Appalachia Regional Commission; Page 14187

Inslee amendment that was offered and subsequently withdrawn that would have prohibited the use of funds to make "waste incidental to reprocessing" determinations in order to reclassify high-level radioactive waste; Page 14197

Point of Order sustained against:

Section of the bill (page 2, line 23 through page 3, line 5) regarding the Southwest Valley Flood Damage Reduction Study in Albuquerque, New Mexico; Page 14172

Section 105 of Title I regarding the flood protection project at Alamogordo, New Mexico; Page 14176

Section 106 of Title I regarding Public Law 106–541; Page 14176

Section 107 of Title I regarding flood damage reduction at Mill Creek in Cincinnati, Ohio; Page 14176

Section 108 of Title I regarding the environmental dredging project at Ashtabula River, Ohio; Page 14176

Section 109 of Title I regarding the Central Riverfront Park project on the Ohio Riverfont in Cincinnati, Ohio; Page 14176

Section 110 of Title I regarding the revolving fund for dredge projects; Page 14176

Section 311 relating to the prohibition on the use of funds for laboratory directed research and development activities at Department of Energy laboratories on behalf of other Federal agencies; Page 14181

Section 502 regarding the purchase of American-made equipment and products; Page 14193

Section of the bill (pages 39, line 23 through page 40, line 4) regarding the prohibition of funds to issue a license during fiscal year 2005 for the construction or operation of a new commercial nuclear power plant in the U.S. Page 14194

H. Res. 694, the rule providing for consideration of the bill was agreed to by a voice vote, after agreeing to order the previous question by a yea and nay vote of 209 yeas to 182 nays, Roll No. 320. Page 14144

Independence Day District Work Period: The House agreed to S. Con. Res. 120, providing for the conditional recess or adjournment of the Senate and the conditional adjournment of the House. Page 14153

Late Reports: Agreed that the Committee on Appropriations have until midnight on July 2 to file late reports on the bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary and related agencies, and a bill making appropriations for the Legislative Branch. Page 14154

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Bartlett, or if not available, Representative Pence to act as Speaker Pro Tempore to sign enrolled bills and joint resolutions through July 6. Page 14203

Late Reports: Agreed that the Committee on Science be allowed to have until 4 p.m. on July 2 to file reports on H.R. 4218, H.R. 4516, H.R. 3890, H.R. 3598, and H.R. 3980. Page 14203

Further agreed that the Committee on Financial Services have until midnight on July 2 to file a report on H.R. 3574. Page 14203

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, July 7. Page 14203

Senate Message: Messages received from the Senate today appear on pages 14143 and 14203.

Senate Referrals: S. Con. Res. 83 was referred to the Committee on International Relations; S. 2322 and 1292 were referred to the Committee on Government Reform; S. 1932 and S. 2237 were referred to the Committee on the Judiciary; and S. 2191 was held at the desk. Page 14218

Amendments: Amendments ordered printed pursuant to the rule appear on page 14223.

Quorum Calls—Votes: Two yea and nay votes and four recorded votes developed during the proceedings of today and appear on pages 14153 and 14199–14202. There were no quorum calls.

Adjournment: The House met at 9 a.m. and at 5:07 p.m., pursuant to the provisions of S. Con. Res. 120, the House stands adjourned until 2 p.m. on Tuesday, July 6, 2004.

Committee Meetings

FOOD SECURITY

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Implementation of the Food Security Provisions of the Public Health Security and Bioterrorism Preparedness and Response Act." Testimony was heard from Lester M. Crawford, Acting Commissioner, Food and Drug Administration, Department of Health and Human Services; Cathy Sauceda, Director, Special Enforcement Division, U.S. Customs and Border Protection, Department of Homeland Security; Doug Saunders, Program Manager, Office of Dairy and Foods, Department of Agriculture and Consumer Services, State of Virginia; and public witnesses.

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Tuesday, July 6, 2004

Senate

Chamber Action

Routine Proceedings, pages 14327–14491

Measures Introduced: Four bills and one resolution were introduced, as follows: S. 2607–S. 2610, and S. Res. 398. **Page 14380**

Measures Reported:

Reported on Wednesday, June 30, during the adjournment:

S. 2351, to establish a Federal Interagency Committee on Emergency Medical Services and a Federal Interagency Committee on Emergency Medical Services Advisory Council. (S. Rept. No. 108–291)

Reported today:

S. 1735, to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang prevention programs, with an amendment in the nature of a substitute **Page 14380**

Measures Passed:

National Airborne Day: Senate agreed to S. Res. 322, designating August 16, 2004, as "National Airborne Day" **Page 14486**

National Health Center Week: Senate agreed to S. Res. 357, designating the week of August 8 through 14, 2004, as "National Health Center Week" **Page 14486**

National ADD Awareness Day: Senate agreed to S. Res. 370, designating September 7, 2004, as "National Attention Deficit Disorder Awareness Day" **Page 14486**

Class Action Fairness Act: Senate began consideration of S. 2062, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants **Page 14362**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, July 7, 2004 **Page 14488**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the legislation and supporting documents to implement the United States-Australia Free Trade Agreement (FTA); which was referred to the Committee on Finance. (PM–90) **Page 14376**

Appointments:

National Commission on the Cost of Higher Education: The Chair announced the following appointment made by the Democratic Leader during the adjournment: Pursuant to Public Law 105–18, on behalf of the Democratic Leader, the appointment of Clare M. Cotton, of Massachusetts, to serve as a member of the National Commission on the Cost of Higher Education on June 30, 2004 **Page 14486**

Nominations Confirmed: Senate confirmed the following nomination:

By 51 yeas 46 nays (Vote No. Ex. 153), J. Leon Holmes, of Arkansas, to be United States District Judge for the Eastern District of Arkansas **Pages 14329, 14491**

Nominations Received: Senate received the following nomination:

Keith Starrett, of Mississippi, to be United States District Judge for the Southern District of Mississippi **Page 14491**

Messages From the House: **Page 14376**

Measures Referred: **Page 14376**

Measures Placed on Calendar: **Page 14376**

Enrolled Bills Presented: **Page 14376**

Executive Communications: **Page 14376**

Executive Reports of Committees: **Page 14380**

Additional Cosponsors: **Page 14380**

Statements on Introduced Bills/Resolutions: **Page 14382**

Additional Statements: **Page 14374**

Amendments Submitted: **Page 14383**

Notices of Hearings/Meetings: **Page 14390**

Privilege of the Floor: **Page 14390**

Record Votes: One record vote was taken today. (Total—153) **Page 14362**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:38 p.m., until 9:30 a.m., on Wednesday, July 7, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 14488.)

Committee Meetings

BUSINESS MEETING

Committee on Governmental Affairs: Committee ordered favorably reported the nomination of David M. Stone, of Virginia, to be an Assistant Secretary of Homeland Security.

House of Representatives

Chamber Action

Measures Introduced: 10 public bills, H.R. 4756–4765; and 4 resolutions, H. Con. Res. 469, and H. Res. 702–704 were introduced. **Page 14324**

Additional Cosponsors: **Page 14324**

Reports Filed: Reports were filed today as follows:

Omitted from the Record of June 25, 2004: H.R. 3936, to amend title 38, United States Code, to authorize the principal office of the United States Court of Appeals for Veterans Claims to be at any location in the Washington, D.C., metropolitan area, rather than only in the District of Columbia, and expressing the sense of Congress that a dedicated Veterans Courthouse and Justice Center should be provided for that Court and those it serves and should be located, if feasible, at a site owned by the United States that is part of or proximate to the Pentagon Reservation (H. Rept. 108–574, Pt. 1);

Filed on June 28, 2004: H.R. 3980, to establish a National Windstorm Impact Reduction Program, amended (H. Rept. 108–575, Pt. 1);

Filed on June 30, 2004: H.R. 3247, to provide consistent enforcement authority to the Bureau of Land Management, the National Park Service, the United States Fish and Wildlife Service, and the Forest Service to respond to violations of regulations regarding the management, use, and protection of public lands under the jurisdiction of these agencies, to clarify the purposes for which collected fines may be used, amended (H. Rept. 108–511, Pt. 2);

Filed on July 1, 2004: H.R. 4754, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005 (H. Rept. 108–576);

Filed on July 1, 2004: H.R. 4755, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2005 (H. Rept. 108–577);

Filed on July 1, 2004: H.R. 4516, to require the Secretary of Energy to carry out a program of research and development to advance high-end computing, amended (H. Rept. 108–578);

Filed on July 1, 2004: H.R. 3890, to reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988, amended (H. Rept. 108–579);

Filed on July 1, 2004: H.R. 4218, to amend the High-Performance Computing Act of 1991 (H. Rept. 108–580);

Filed on July 1, 2004: H.R. 3598, to establish an interagency committee to coordinate Federal manufacturing research and development efforts in manufacturing, strengthen existing programs to assist manufacturing innovation and education, and expand outreach programs for small and medium-sized manufacturers, amended (H. Rept. 108–581);

H.R. 1914, to provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement, amended (H. Rept. 108–472, Pt. 2);

H.R. 2768, to require the Secretary of the Treasury to mint coins in commemoration of Chief Justice John Marshall, amended (H. Rept. 108–473, Pt. 2);

H.R. 3277, to require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center, amended (H. Rept. 108–474, Pt. 2);

H.R. 4362, to authorize the Secretary of the Interior to accept a parcel of Federal land in the State of Washington in trust for the Nisqually Tribe, to ensure that the acceptance of such land does not adversely affect the Bonneville Power Administration (H. Rept. 108–582, Pt. 1); and

H. Res. 701, providing for consideration of H.R. 4754, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005 (H. Rept. 108–583). **Page 14323**

Speaker: Read a letter from the Speaker wherein he appointed Representative Culberson to act as Speaker Pro Tempore for today. **Page 14281**

Private Calendar: On the call of the Private Calendar, the House passed H.R. 530, for the relief of Tanya Andrea Goudeau; H.R. 712, for the relief of Richi James Lesley; H.R. 867, for the relief of Durreshahwar Durreshahwar, Nida Hasan, Asna Hasan, Anum Hasan, and Iqra Hasan; and S. 103, for the relief of Lindita Idrizi Heath. **Page 14281**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the 25th anniversary of the adoption of the Constitution of the Republic of the Marshall Islands: H. Con. Res. 410, amended, recognizing the 25th anniversary of the adoption of the Constitution of the Republic of the Marshall Islands and recognizing the Marshall Islands as a staunch ally of the United States, committed to principles of democracy and freedom for the Pacific region and throughout the world, by a ⅔ yea-and-nay vote of 379 yeas with none voting "nay", Roll No. 326; **Pages 14283, 14293**

Eisenhower Exchange Fellowship Program Trust Fund Enhancement Act of 2003: H.R. 2121, to amend the Eisenhower Exchange Fellowship Act of 1990 to authorize additional appropriations for the Eisenhower Exchange Fellowship Program Trust Fund; **Page 14286**

James E. Worsham Post Office and James E. Worsham Carrier Annex Building Redesignation Acts: H.R. 3340, to redesignate the facilities of the United States Postal Service located at 7715 and 7748 S. Cottage Grove Avenue in Chicago, Illinois, as the "James E. Worsham Post Office" and the "James E. Worsham Carrier Annex Building", respectively; **Page 14287**

Vitilas "Veto" Reid Post Office Building Designation Act: H.R. 4327, to designate the facility of the United States Postal Service located at 7450 Natural Bridge Road in St. Louis, Missouri, as the "Vitilas 'Veto' Reid Post Office Building"; **Page 14289**

Perry B. Duryea, Jr. Post Office Building Designation Act: H.R. 4427, to designate the facility of the United States Postal Service located at 73 South Euclid Avenue in Montauk, New York, as the "Perry B. Duryea, Jr. Post Office"; and **Page 14289**

Expressing the sense of Congress that the President should posthumously award the Presidential Medal of Freedom to Harry W. Colmery: H. Con. Res. 257, expressing the sense of Congress that the President should posthumously award the Presidential Medal of Freedom to Harry W. Colmery, by a 2/3 yea-and-nay vote of 381 yeas to 1 nay, Roll No. 327. **Page 14290**

Recess: The House recessed at 3:01 p.m. and reconvened at 6:30 p.m. **Page 14293**

Presidential Message: Read a message from the President wherein he transmitted legislation and supporting documents to implement the United States-Australia Free Trade Agreement—referred to the Committee on Ways and Means and ordered printed (H. Doc. 108–199). **Page 14295**

Senate Message: Message received from the Senate today appears on page 14281.

Senate Referrals: S. 2401, S. 2402, and S. 2403 were held at the desk. **Page 14281**

Amendments: Amendments ordered printed pursuant to the rule appear on page 14325.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages 14293–94. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 11:04 p.m.

Committee Meetings

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction approved for full Committee action the Military Construction appropriations for fiscal year 2005.

DEFENDING AMERICA'S MOST VULNERABLE: SAFE ACCESS TO TREATMENT AND CHILD PROTECTION ACT OF 2004

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 4547, Defending America's Most Vulnerable: Safe Access to Drug Treatment and Child Protection Act of 2004. Testimony was heard from Catherine M. O'Neil, Associate Deputy Attorney General, Department of Justice; Robert J. Cramer, Special Investigator, GAO; Tyrone V. Patterson, Manager, Model Treatment Center, Department of Health, District of Columbia; and a public witness.

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of general debate on H.R. 4754, making appropriation for the Departments of Commerce, Justice, State, Judiciary and Related appropriations for the fiscal year ending September 30, 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Wolf and Serrano.

Joint Meetings

UZBEKISTAN

Commission on Security and Cooperation in Europe (Helsinki Commission): On Thursday, June 24, Commission concluded a hearing to examine democratization and human rights in Uzbekistan in light of the impending decision by the Department of State whether to certify Uzbekistan to continue receiving assistance from the United States, after receiving testimony from Lorne W. Craner, Assistant Secretary for Democracy, Human Rights and Labor, and Lynn Pascoe, Deputy Assistant Secretary for Europe and Eurasia, both of the Department of State; H.E. Abdulaziz Komilov, Republic of Uzbekistan Ambassador to the United States; Fred Starr, Johns Hopkins University Paul H. Nitze School of International Studies (SAIS) Caucasus-Central Asia Institute, and Martha Olcott, Carnegie Endowment for International Peace, both of Washington, D.C.; Abdurahim Polat, Birlik Party, Springfield, Virginia; and Veronika Leila Szente Goldston, Human Rights Watch, New York, New York.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED EIGHTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 20 through June 30, 2004

	Senate	*House*	*Total*
Days in session	85	70	..
Time in session	640 hrs., 25′	518 hrs., 41′	..
Congressional Record:			
Pages of proceedings	7,528	5,151	..
Extensions of Remarks	..	1,292	..
Public bills enacted into law	17	50	67
Private bills enacted into law	..	..	..
Bills in conference	5	13	..
Measures passed, total	245	317	562
Senate bills	56	20	..
House bills	63	128	..
Senate joint resolutions	4	1	..
House joint resolutions	1	4	..
Senate concurrent resolutions	19	8	..
House concurrent resolutions	21	47	..
Simple resolutions	81	109	..
Measures reported, total*	147	166	313
Senate bills	91	5	..
House bills	38	109	..
Senate joint resolutions	2	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	4	..	..
House concurrent resolutions	2	6	..
Simple resolutions	10	45	..
Special reports	1	2	..
Conference reports	1	2	..
Measures pending on calendar	230	127	..
Measures introduced, total	763	1,405	2,168
Bills	602	1,053	..
Joint resolutions	15	17	..
Concurrent resolutions	34	120	..
Simple resolutions	114	215	..
Quorum calls	..	1	..
Yea-and-nay votes	152	196	..
Recorded votes	..	128	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 71 reports have been filed in the Senate, a total of 168 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 20 through June 30, 2004

Civilian nominations totaling 410, (including 195 nominations carried over from the First Session), disposed of as follows:

Confirmed	131
Unconfirmed	264
Withdrawn	14
Returned to White House	1

Other civilian nominations totaling 2,324, (including 5 nominations carried over from the First Session), disposed of as follows:

Confirmed	1,266
Unconfirmed	1,057
Withdrawn	1

Air Force nominations, totaling 7,999, (including 3,572 nominations carried over from the First Session), disposed of as follows:

Confirmed	5,350
Unconfirmed	2,649

Army nominations, totaling 2,117, (including 594 nominations carried over from the First Session), disposed of as follows:

Confirmed	1,910
Unconfirmed	207

Navy nominations, totaling 6,360, (including 2,444 nominations carried over from the First Session), disposed of as follows:

Confirmed	5,825
Unconfirmed	535

Marine Corps nominations, totaling 1,224, (including 2 nominations carried over from the First Session), disposed of as follows:

Confirmed	1,210
Unconfirmed	14

Summary

Total nominations carried over from the First Sesssion	6,812
Total nominations received this Session	15,622
Total confirmed	15,692
Total unconfirmed	4,726
Total withdrawn	15
Total returned to the White House	1

Wednesday, July 7, 2004

Senate

Chamber Action

Routine Proceedings, pages 14492–14580

Measures Introduced: Eight bills and four resolutions were introduced, as follows: S. 2611–2618, S.J. Res. 40–41, and S. Res. 399–400. **Page 14555**

Measures Reported:

S. 180, to establish the National Aviation Heritage Area, with an amendment in the nature of a substitute. (S. Rept. No. 108–292)

S. 211, to establish the Northern Rio Grande National Heritage Area in the State of New Mexico. (S. Rept. No. 108–293)

S. 323, to establish the Atchafalaya National Heritage Area, Louisiana, with an amendment in the nature of a substitute. (S. Rept. No. 108–294)

S. 1241, to establish the Kate Mullany National Historic Site in the State of New York, with an amendment in the nature of a substitute. (S. Rept. No. 108–295)

S. 1727, to authorize additional appropriations for the Reclamation Safety of Dams Act of 1978, with an amendment in the nature of a substitute. (S. Rept. No. 108–296)

S. 1957, to authorize the Secretary of the Interior to cooperate with the States on the border with Mexico and other appropriate entities in conducting a hydrogeologic characterization, mapping, and modeling program for priority transboundary aquifers, with an amendment in the nature of a substitute. (S. Rept. No. 108–297)

S. 2046, to authorize the exchange of certain land in Everglades National Park, with an amendment in the nature of a substitute. (S. Rept. No. 108–298)

S. 2319, to authorize and facilitate hydroelectric power licensing of the Tapoco Project, with an amendment in the nature of a substitute. (S. Rept. No. 108–299)

H.R. 1303, to amend the E-Government Act of 2002 with respect to rulemaking authority of the Judicial Conference. **Page 14554**

Measures Passed:

Law Enforcement Officers Safety Act: Senate passed H.R. 218, to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns, clearing the measure for the President. **Page 14578**

Class Action Fairness Act: Senate continued consideration of S. 2062, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, taking action on the following amendments proposed thereto: **Page 14500**

Pending:

Frist Amendment No. 3548, relative to the enactment date of the Act. **Page 14502**

Frist Amendment No. 3549 (Amendment No. 3548), relative to the enactment date of the Act. **Page 14502**

Frist Motion to Commit the bill to the Committee on the Judiciary, with instructions to report back forthwith. **Page 14502**

Frist Amendment No. 3550 (to the instructions of the motion to commit), relative to the enactment date of the Act. **Page 14502**

Frist Amendment No. 3551 (Amendment No. 3550), relative to the enactment date of the Act. **Page 14502**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, July 9, 2004. **Page 14547**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 11 a.m., on Thursday, July 8, 2004. **Page 14579**

Nomination—Agreement: A unanimous-consent agreement was reached providing that the nomination of David M. Stone, of Virginia, to be an Assistant Secretary of Homeland Security, be referred to the Committee on Commerce, Science, and Transportation for a period not to exceed 30 calendar days. **Page 14578**

Messages From the House: **Page 14552**

Measures Referred: **Page 14553**

Measures Read First Time: **Page 14553**

Executive Communications: **Page 14553**

Additional Cosponsors: **Page 14555**

Statements on Introduced Bills/Resolutions: **Page 14556**

Additional Statements: **Page 14551**

Amendments Submitted: **Page 14562**

Notices of Hearings/Meetings: **Page 14577**

Authority for Committees to Meet: **Page 14577**

Privilege of the Floor: **Page 14578**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:17 p.m., until 10 a.m., on Thursday, July 8, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 14579.)

Committee Meetings

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Patrick P. O'Carroll, Jr., of

Maryland, to be Inspector General, Social Security Administration, who was introduced by Senator Sununu, and J. Russell George, of Virginia, to be Inspector General for Tax Administration, Timothy S. Bitsberger, of Massachusetts, to be an Assistant Secretary, and Paul Jones, of Colorado, to be a Member of the Internal Revenue Service Oversight Board, all of the Department of the Treasury, after each nominee testified and answered questions in their own behalf.

JUVENILE DETENTION CENTERS

Committee on Governmental Affairs: Committee concluded a hearing to examine juvenile detention centers, focusing on unnecessary incarceration of youth who are waiting for community mental health services, after receiving testimony from Representative Waxman; Carol Carothers, National Alliance for the Mentally Ill, Augusta, Maine; Tammy Seltzer, Bazelon Center for Mental Health Law, Washington, D.C.; Leonard B. Dixon, Wayne County Juvenile Detention Facility, Detroit, Michigan, on behalf of the National Juvenile Detention Association; Ernestine S. Gray, Orleans Parish Juvenile Court, New Orleans, Louisiana; and Kenneth J. Martinez, New Mexico Children, Youth and Families Department, Santa Fe.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of Michael H. Schneider, Sr., to be United States District Judge for the Eastern District of Texas, after the nominee, who was introduced by Senator Hutchison, testified and answered questions in his own behalf.

HUMAN TRAFFICKING

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights, and Property Rights concluded a hearing to examine United States efforts to combat human trafficking and slavery, after receiving testimony from Johnny K. Stutton, United States Attorney for the Western District of Texas, and Michael T. Shelby, United States Attorney for the Southern District of Texas, both of Department of Justice; Sr. Mary Ellen Dougherty, United States Conference of Catholic Bishops, Joseph Mettimano, World Vision, and Mohamed Y. Mattar, Johns Hopkins University Paul H. Nitze School of Advanced International Studies, and Sr. Wendy Patten, Human Rights Watch, all of Washington, D.C.; and Charles Song, Coalition to Abolish Slavery and Trafficking, Los Angeles, California.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 4767–4777; 1 private bill, H.R. 4778; and 3 resolutions, H. Res. 705, 708–709 were introduced. **Page 14716**

Additional Cosponsors: **Page 14717**

Reports Filed: Reports were filed today as follows:

H.R. 4766, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005 (H. Rept. 108–584);

H.R. 1231, to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums, amended (H. Rept. 108–585, Pt. 1);

H.R. 3737, to increase the minimum and maximum rates of basic pay payable to administrative law judges, amended (H. Rept. 108–586);

H.R. 338, to amend title 5, United States Code, to require that agencies, in promulgating rules, take into consideration the impact of such rules on the privacy of individuals, amended (H. Rept. 108–587);

H.R. 2934, to increase criminal penalties relating to terrorist murders, deny Federal benefits to terrorists, amended (H. Rept. 108–588);

H. Res. 706, providing for consideration of H.R. 3598, to establish an interagency committee to coordinate Federal manufacturing research and development efforts in manufacturing, strengthen existing programs to assist manufacturing innovation and education, and expand outreach programs for small and medium-sized manufacturers (H. Rept. 108–589); and

H. Res. 707, providing for consideration of H.R. 4755, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2005 (H. Rept. 108–590). **Page 14716**

Speaker: Read a letter from the Speaker wherein he appointed Representative Murphy to act as Speaker Pro Tempore for today. **Page 14581**

Suspensions: The House agreed to suspend the rules and pass the following measures:

High Performance Computing Revitalization Act of 2004: H.R. 4218, amended, to amend the High-Performance Computing Act of 1991; **Page 14585**

Department of Energy High-End Computing Revitalization Act of 2004: H.R. 4516, amended, to require the Secretary of Energy to carry out a program of research and development to advance high-end computing; **Page 14590**

Reauthorizing the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988:

H.R. 3890, amended, to reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988; **Page 14596**

Harmful Algal Bloom and Hypoxia Research Amendments Act of 2003: H.R. 1856, amended, to reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998; and **Page 14598**

Supporting the goals and ideals of the World Year of Physics: H. Con. Res. 301, supporting the goals and ideals of the World Year of Physics. **Page 14600**

Suspension—Proceedings Postponed: The House completed debate on the following measure under suspension of the rules. Further proceedings will continue tomorrow, July 8.

National Windstorm Impact Reduction Act of 2004: H.R. 3980, amended, to establish a National Windstorm Impact Reduction Program. **Page 14591**

Department of Commerce, Justice, and State, the Judiciary, and related agencies Appropriations Act for FY 2005: The House began consideration of H.R. 4754, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005. Further proceedings will continue tomorrow, July 8. **Page 14604**

Agreed to limit the number of amendments and the time for debate on such amendments offered on the bill. **Page 14669**

Later agreed that the chairman and ranking minority member of the Committee on Appropriations or their designees may offer one pro forma amendment to each amendment for the purpose of further debate. **Page 14692**

Agreed to:

Manzullo amendment that restores funding for the Small Business Administration's 7(a) loan program (agreed to by a recorded vote of 281 ayes to 137 noes, Roll No. 328) (agreed to limit time for debate on the amendment); **Pages 14623, 14636**

Crowley amendment that increases funding for public safety officer benefits; **Page 14643**

Pitts amendment that provides that certain funds be used for the Bureau of Democracy, Human Rights and Labor of the Department of State to compile and publish a list of foreign government officials who order the use of, are involved in, or engage in torture; **Page 14676**

Wolf amendment that restores funding for the Small Business Administration's "micro loan" technology and loan program; **Page 14678**

Flake amendment that prohibits the use of funds to implement the Commerce Department's new restrictions on gift parcels to Cuba and the amount of personal baggage allowed for travelers to Cuba (by a recorded vote of 221 ayes to 194 noes, Roll No. 329); **Pages 14692, 14702**

Kucinich amendment (no. 13 printed in the Congressional Record of July 6) that reduces funding for the Commerce Department's management expenses and increases it by the same amount (by a recorded vote of 232 ayes to 186 noes, Roll No. 332) (agreed to limit the time for debate on the amendment); **Page 14666**

Millender-McDonald amendment that increases funding for the Small Business Administration; and **Page 14707**

Wolf amendment expressing the sense of Congress that the Secretary of State should make a determination as to whether recent events in the Darfur region of Sudan constitute genocide and support the investigation and prosecution of war crimes and crimes against humanity committed in the Darfur region of Sudan. **Page 14708**

Rejected:

Jackson-Lee of Texas amendment (no. 15 printed in the Congressional Record of July 6) that sought to increase funding for the DNA analysis and backlog elimination program; **Page 14639**

Paul amendment (no. 7 printed in the Congressional Record of July 6) that sought to prohibit the use of funds for the Census Bureau's American Community Survey; **Page 14677**

Weiner amendment that sought to increase funding for Community Oriented Policing Services (by a recorded vote of 206 ayes to 212 noes, Roll No. 330); **Pages 14653, 14703**

Hefley amendment that sought to eliminate funding for the re-engineered design process for the 2010 Short Form Only census (by a recorded vote of 71 ayes to 342 noes, Roll No. 331) (agreed to limit the time for debate on the amendment); **Pages 14664, 14703**

Paul amendment (no. 9 printed in the Congressional Record of July 6) that sought to prohibit the use of funds to pay expenses for any U.S. contribution to the United Nations Educational, Scientific, and Cultural Organizations (by a recorded vote of 135 ayes to 283 noes, Roll No. 333); **Pages 14682, 14705**

Farr amendment (no. 6 printed in the Congressional Record of July 6) that sought to prohibit the use of funds to prevent the States of Alaska, California, Colorado, Hawaii, Maine, Maryland, Nevada, Oregon, Vermont, or Washington from implementing State laws authorizing the use of medical marijuana in those States (by a recorded vote of 148 ayes to 268 noes, Roll No. 334); and **Pages 14685, 14706**

Paul amendment (no. 10 printed in the Congressional Record of July 6) that sought to prohibit the use of funds to pay any U.S. contribution to the United Nations or any affiliated agency of the United Nations (by a recorded vote of 83 ayes to 335 noes, Roll No. 335). **Pages 14701, 14706**

Withdrawn:

Jackson-Lee of Texas amendment (no. 14 printed in the Congressional Record of July 6) that was offered and subsequently withdrawn that would have increased funding for the Commission on Civil Rights; **Page 14637**

King of Iowa amendment that was offered and subsequently withdrawn that would have provided that a certain amount of funds appropriated for legal activities of the U.S. Parole Commission be used for enforcing sections of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; Page 14645

Tancredo amendment (no. 5 printed in the Congressional Record of July 6) that was offered and subsequently withdrawn that would have prohibited the use of State Criminal Alien Assistance Program funds by state and local governments who do not comply with provisions of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; and Page 14683

Burgess amendment that was offered and subsequently withdrawn that would have expressed the sense of Congress that the Federal Trade Commission should provide to Independent Physician Associations guidance on contracting with health plans, on practice business arrangements, and on member communications, and a reasonable time for such Associations to ameliorate certain arrangements that could lead to Federal Trade Commission enforcement of antitrust laws against any such Association that has engaged in alleged anticompetitive activities. Page 14708

Point of Order sustained against:

Section 607 of the bill regarding the Buy America Act; and Page 14676

Paul amendment (no. 8 printed in the Congressional Record of July 6) that sought to prohibit the use of funds to prosecute doctors and their staff for prescribing and administering legal drugs for pain relief or management. Page 14679

H. Res. 701, the rule providing for consideration of the bill was agreed to by voice vote. Page 14602

Amendments: Amendments ordered printed pursuant to the rule appear on page 14718.

Quorum Calls—Votes: Eight recorded votes developed during the proceedings of today and appear on pages 14636 and 14702–07. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:59 p.m.

Committee Meetings

DISTRICT OF COLUMBIA APPROPRIATIONS

Committee on Appropriations: Subcommittee on the District of Columbia approved for full Committee action the District of Columbia appropriations for fiscal year 2005.

TROOP ROTATIONS; MOBILIZATION OF ARMY'S READY RESERVE

Committee on Armed Services: Held a hearing on Army and Marine Corps troop rotations for Operation Iraqi Freedom 3 and Operation Enduring Freedom 6 and the mobilization of the Army's Individual Ready Reserve. Testimony was heard from the following officials of the Department of Defense: David S.C. Chu, Under Secretary, Personnel and Readiness; LTG Norton A. Schwartz, USAF, Director of Operations (J–3), Joint Chiefs of Staff; LTG Richard A. Cody, USA, Vice Chief of Staff, Department of the Army; and LTG Jan C. Huly, USMC, Deputy Commandant, Marine Corps, Plan, Policies, and Operations.

EXAMINING CASH BALANCE PENSION PLANS

Committee on Education and the Workforce: Held a hearing entitled "Examining Cash Balance Pension Plans: Separating Myth from Fact." Testimony was heard from public witnesses.

VOICE OVER INTERNET PROTOCOL SERVICES

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "Voice Over Internet Protocol Services: Will the Technology Disrupt the Industry or Will Regulation Disrupt the Technology?" Testimony was heard from Jeffrey Carlisle, Senior Deputy Bureau Chief, Wireline Competition Bureau, FCC; and public witnesses.

ENSURING ACCURACY AND ACCOUNTABILITY IN LAB TESTING

Committee on Government Reform: Subcommittee on Criminal Justice continued hearings entitled "Part II—Ensuring Accuracy and Accountability in Laboratory Testing: Does the Experience of Maryland General Hospital Expose Cracks in the System?" Testimony was heard from Carol Benner, Director, Office of Health Care Quality, Department of Health and Mental Hygiene, State of Maryland; and public witnesses.

FILLING UP—DRIVING DOWN THE COST

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing entitled "Driving Down the Cost of Filling Up." Testimony was heard from the following officials of the Department of Energy: Guy F. Caruso, Administrator, Energy Information Administration; and Mark R. Maddox, Acting Assistant Secretary, Fossil Energy; Jeffrey R. Holmstead, Assistant Administrator, Air and Radiation, EPA; Jim Wells, Director, Natural Resources and Environment, GAO; William E. Kovacic, General Counsel, FTC; and public witnesses.

DOD—BUSINESS PROCESS MODERNIZATION

Committee on Government Reform: Subcommittee on Government Efficiency and Financial Management and the Subcommittee on National Security, Emerging Threats and International Relations held a joint oversight hearing entitled "Business Process Modernization at the Department of Defense." Testimony was heard from Lawrence Lanzilotta, Under Secretary, Comptroller (Acting); and Greg Kutz, Director, Financial Management and Assurance, GAO.

DEFINING FEDERAL INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held an oversight hearing entitled "Defining Federal Information Technology Research and Development: Who? Where? What? Why? And How Much?" Testimony was heard from David Nelson, Director, National Coordination Office, Information Technology Research and Development, Executive Office of the President; Peter Freeman, Co-Chairman, Interagency Working Group and Assistant Director, Computer and Information Science and Engineering Directorate, NSF; Hratch Semerjian, Acting Director, National Institute of Standards and Technology, Department of Commerce; C. Edward Oliver, Associate Director, Office of Advanced Scientific Computing Research, Department of Energy; and public witnesses.

ELECTRONIC VOTING SYSTEM SECURITY

Committee on House Administration: Held a hearing on Electronic Voting System Security. Testimony was heard from Kathy Rogers, Director, Elections Administration, Office of the Secretary of State, State of Georgia; Linda H. Lamone, Administrator, Board of Elections, State of Maryland; and public witnesses.

U.S. SUPPORT OF HUMAN RIGHTS AND DEMOCRACY

Committee on International Relations: Subcommittee on International Terrorism, Nonproliferation and Human Rights held a hearing on United States Support of Human Rights and Democracy. Testimony was heard from the following officials of the Department of State: Lorne W. Craner, Assistant Secretary, Bureau of Democracy, Human Rights and Labor; and Roger P. Winter, Assistant Administrator, Bureau of Democracy, Conflict and Humanitarian Assistant, U.S. Agency for International Development; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following bills: S. 2363, to revise and extend the Boys and Girls Clubs of America; and H.R. 4518, as amended, Satellite Home Viewer Extension and Reauthorization Act of 2004.

LEGISLATIVE APPROPRIATIONS

Committee on Rules: Granted by voice vote, a structured rule providing for consideration of H.R. 4755, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2005. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill). The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Kingston and Representative Holt.

MANUFACTURING TECHNOLOGY COMPETITIVENESS ACT OF 2004

Committee on Rules: Granted by voice vote, a structured rule providing for consideration of H.R. 3598, Manufacturing Technology Competitiveness Act of 2004. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Science. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Science now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Boehlert and Representatives Ehlers, Peterson (PA), Gordon, Costello, Larson (CT), Udall (CO), Jackson-Lee (TX), Slaughter, and Emanuel.

REBATE OF VALUE ADDED TAXES AT THE BORDER

Committee on Small Business: Held a hearing on the Rebate of Value Added Taxes at the Border and the Competitive

Disadvantage for U.S. Small Businesses. Testimony was heard from public witnesses.

U.S.–MOROCCO TRADE AGREEMENT IMPLEMENTATION

Committee on Ways and Means: Held a hearing on implementation of the United States-Morocco Free Trade Agreement. Testimony was heard from Peter F. Allgeier, Deputy U.S. Trade Representative; and public witnesses.

Joint Meetings

SAFE ACCOUNTABLE FLEXIBLE AND EFFICIENT TRANSPORTATION EQUITY ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 3550, to authorize funds for Federal-aid highways, highway safety programs, but did not complete action thereon, and will meet again on Tuesday, July 13.

♦♦♦♦♦♦♦♦♦♦♦♦

Thursday, July 8, 2004

Senate

Chamber Action

Routine Proceedings, pages 14812–14911

Measures Introduced: Seventeen bills and two resolutions, were introduced as follows: S. 2619–S. 2635, S. Res. 401, and S. Con. Res. 121. **Page 14866**

Measures Reported:

S. 2386, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, with amendments. (S. Rept. No. 108–300) **Page 14866**

Measures Passed:

Garrett Lee Smith Memorial Act: Senate passed S. 2634, to amend the Public Health Service Act to support the planning, implementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, to provide funds for campus mental and behavioral health service centers. **Page 14904**

Class Action Fairness Act: Senate continued consideration of S. 2062, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, taking action on the following amendments proposed thereto: **Page 14819**

Pending:

Frist Amendment No. 3548, relative to the enactment date of the Act. **Page 14819**

Frist Amendment No. 3549 (Amendment No. 3548), relative to the enactment date of the Act. **Page 14819**

Frist Motion to Commit the bill to the Committee on the Judiciary, with instructions to report back forthwith.

Frist Amendment No. 3550 (to the instructions of the motion to commit), relative to the enactment date of the Act. **Page 14819**

Frist Amendment No. 3551 (Amendment No. 3550), relative to the enactment date of the Act. **Page 14819**

During consideration of this measure today, Senate also took the following action:

By 44 yeas to 43 nays (Vote No. 154), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the bill. **Page 14857**

Nominations—Agreement: A unanimous-consent agreement was reached providing that the nominations of Juan Carlos Zarate, of California, to be an Assistant Secretary of the Treasury, and Stuart Levey, of Maryland, to be Under Secretary of the Treasury for Enforcement, be re-referred to the Committee on Finance and referred to the Committee on Banking, Housing, and Urban Affairs; further, that when the nominations are reported by the Committee on Banking, Housing, and Urban Affairs, they then be automatically discharged from the Committee on Finance, and placed on the executive calendar. **Page 14904**

Nominations Confirmed: Senate confirmed the following nominations:

1 Marine Corps nomination in the rank of general.

1 Navy nomination in the rank of admiral. **Pages 14904, 14911**

Nominations Received: Senate received the following nominations:

Valerie Lynn Baldwin, of Kansas, to be an Assistant Secretary of the Army.

Christopher J. LaFleur, of New York, to be Ambassador to Malaysia.

2 Army nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Coast Guard, Navy. **Page 14908**

Messages From the House: **Page 14863**

Measures Referred: **Page 14863**

Measures Placed on Calendar: **Page 14863**

Measures Read First Time: **Page 14864**

Executive Communications: **Page 14864**

Executive Reports of Committees: Page 14866

Additional Cosponsors: Page 14867

Statements on Introduced Bills/Resolutions: Page 14868

Additional Statements: Page 14862

Amendments Submitted: Page 14882

Notices of Hearings/Meetings: Page 14903

Authority for Committees to Meet: Page 14903

Privilege of the Floor: Page 14903

Record Votes: One record vote was taken today. (Total—154) Page 14857

Adjournment: Senate convened at 10 a.m., and adjourned at 8:18 p.m., until 9:30 a.m., on Friday, July 9, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 14908.)

Committee Meetings

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the following business items:

S. 2386, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, with amendments; and

The nominations of Admiral Vernon E. Clark, USN, for reappointment to the grade of admiral and to be Chief of Naval Operations, and Lieutenant General James E. Cartwright, USMC, for appointment to the grade of general and to be Commander, United States Strategic Command.

Prior to this action, committee concluded a hearing to examine the nominations of Admiral Vernon E. Clark, and Lieutenant General James E. Cartwright (both listed above), after each nominee testified and answered questions in their own behalf.

ASSISTANCE TO FIREFIGHTERS ACT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine S. 2411, to amend the Federal Fire Prevention and Control Act of 1974 to provide financial assistance for the improvement of the health and safety of firefighters, promote the use of life saving technologies, achieve greater equity for departments serving large jurisdictions, after receiving testimony from Senators DeWine and Dodd; C. Suzanne Mencer, Director, Office of State and Local Government Coordination and Preparedness, and R. David Paulison, Director, Preparedness Division and United States Fire Administrator, Federal Emergency Management Agency, both of the Department of Homeland Security; Ernest Mitchell, International Association of Fire Chiefs, Fairfax, Virginia; E. James Monihan, Lewes Fire Department, Lewes, Delaware, on behalf of the National Volunteer Fire Council; Billy E. Shields, Professional Fire Fighters of Arizona, Phoenix, on behalf of the International Association of Fire Fighters; and James M. Shannon, National Fire Protection Association, Quincy, Massachusetts.

TAXPAYERS' DOLLARS

Committee on Governmental Affairs: Subcommittee on Financial Management, the Budget, and International Security concluded a hearing to examine the federal government's financial statement and accountability of taxpayer dollars at the Departments of Defense and Homeland Security, focusing on financial accounting and reporting, and audit challenges, after receiving testimony from David M. Walker, Comptroller General of the United States, Gregory D. Kutz, Director, Financial Management and Assurance, and McCoy Williams, Director, Financial Management and Assurance, all of the Government Accountability Office; Linda M. Springer, Controller, Office of Federal Financial Management, Office of Management and Budget; Donald V. Hammond, Fiscal Assistant Secretary of the Treasury; Lawrence J. Lanzillotta, Acting Under Secretary (Comptroller), and Francis E. Reardon, Deputy Inspector General for Auditing, Office of the Inspector General, both of the Department of Defense; and Andrew B. Maner, Chief Financial Officer, and Clark Kent Ervin, Inspector General, both of the Department of Homeland Security.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Michael H. Watson, to be United States District Judge for the Southern District of Ohio, and Isaac Fulwood, Jr., of the District of Columbia, to be a Commissioner of the United States Parole Commission.

Also, Committee met and began consideration of the nomination of Claude A. Allen, of Virginia, to be U.S. Circuit Judge for the Fourth Circuit, but did not take final action thereon, and recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 10 public bills, H.R. 4779–4788; 1 private bill, H.R. 4789; and 1 resolution, H. Con. Res. 470 were introduced. Page 14810

Additional Cosponsors: Page 14811

Reports Filed: Reports were filed today as follows:

H. Res. 710, providing for consideration of H.R. 4766, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agen-

cies for the fiscal year ending September 30, 2005 (H. Rept. 108–591) and;

H. Res. 711, providing for the consideration of H.R. 2828, to authorize the Secretary of the Interior to implement water supply technology and infrastructure programs aimed at increasing and diversifying domestic water resources (H. Rept. 108–592). **Page 14810**

Chaplain: The prayer was offered today by Rev. John M. O'Neill, Pastor, Our Lady of Good Counsel Catholic Church in Vienna, Virginia. **Page 14740**

Legislative Branch Appropriations Act for FY 2005—Rule for Consideration: The House agreed to H. Res. 707, the rule providing for consideration of H.R. 4755, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2005, by a yea and nay vote of 223 yes to 194 nays, Roll No. 336. **Page 14748**

Manufacturing Technology Competitiveness Act for 2003—Rule for Consideration: The House agreed to H. Res. 706, the rule providing for consideration of H.R. 3598, to establish an interagency committee to coordinate Federal manufacturing research and development efforts in manufacturing, strengthen existing programs to assist manufacturing innovation and education, and expand outreach programs for small and medium-sized manufacturers, by a yea and nay vote of 217 yeas to 196 nays, Roll No. 337. **Pages 14742, 14754**

Suspensions: The House agreed to suspend the rules and pass the following measure which was debated on July 7:

National Windstorm Impact Reduction Act of 2004: H.R. 3980, amended, to establish a National Windstorm Impact Reduction Program, by a ⅔ yea and nay vote of 327 yeas to 26 nays, Roll No. 338. **Page 14754**

Bob Hope Memorial Library Designation—Committee Referral: Agreed that H.R. 4668, to designate the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the "Bob Hope Memorial Library", be re-referred to the Committee on Resources. **Page 14755**

Department of Commerce, Justice, and State, the Judiciary, and related agencies Appropriations Act for FY 2005: The House passed H.R. 4754, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005 by a yea and nay vote of 397 yeas to 18 noes Roll No. 346. **Page 14755**

The bill was also considered on Wednesday, July 7.

Rejected the Hoyer motion to recommit the bill to the committee on appropriations with instructions (by a recorded vote of 194 ayes to 223 noes, 1 voting present, Roll No. 345); **Page 14789**

Agreed to:

Weiner amendment that prohibits the use of funds in contravention of the provisions of the Foreign Relations Authorization Act, Fiscal Year 2003; **Page 14781**

Akin amendment (No. 20 printed in the Congressional Record of July 6) that prohibits the use of funds in contravention of provisions of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (by a recorded vote of 306 ayes to 113 noes, Roll No. 340); **Pages 14764, 14783**

Rejected:

Sherman amendment (No. 25 printed in the Congressional Record of July 7) that sought to prohibit the use of funds to detain for more than 30 days, or defend in court the detention of a U.S. citizen, apprehended on U.S. territory, solely because that citizen is classified as an enemy combatant; or to classify a U.S. citizen as an enemy combatant unless that citizen is apprehended outside the U.S. **Page 14773**

Sanders amendment (No. 2 printed in the Congressional Record of July 6) that sought to prohibit the use of funds from being used under the Foreign Intelligence Surveillance Act to acquire library circulation records, library patron lists, library Internet records, bookseller records, or bookseller customer lists (by a record vote of 210 ayes to 210 noes, 1 voting present, Roll No. 339); **Pages 14756, 14781**

King of Iowa amendment that sought to provide funds for enforcing sections of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (by a recorded vote of 139 to 278 noes, Roll No. 341); **Pages 14768, 14783**

Smith of Michigan amendment that sought to reduce contributions to international organizations by $20 million (by a recorded vote of 129 ayes to 291 noes, Roll No. 342); **Pages 14770, 14784**

Hefley amendment that sought to limit the amount for the United States Court of Federal Claims to $7.5 million (by a recorded vote of 67 ayes to 347 noes, Roll No. 343); **Pages 14777, 14785**

Hefley amendment that sought to reduce total funding provided for in the bill by one percent (by a recorded vote of 81 ayes to 327 noes, Roll No. 344); **Pages 14780, 14785**

Withdrawn:

Otter amendment (No. 4 printed in the Congressional Record of July 6) that was offered and subsequently withdrawn that would have limited "sneak and peek" search warrants by narrowing the circumstances under which notice of the execution of the warrant is delayed to circumstances where the court finds reasonable cause to believe that providing immediate notification of the warrant "will endanger the life or physical safety of an individual, resulting in flight from prosecution, or result in the destruction of or tampering with the evidence sought in the warrant."; **Page 14766**

Sherman amendment that sought to prohibit the use of funds to implement, litigate or defend the legality of, or enforce the regulations prescribed by the Comptroller of the Currency and published in the Federal Register on January 13, 2004; Page 14778

H. Res. 701, the rule providing for consideration of the bill was agreed to on Wednesday, July 7.

Motion to Adjourn: Rejected the Nadler motion to adjourn by a recorded vote of 64 ayes to 324 noes, Roll No. 347. Page 14792

Amendments: Amendments ordered printed pursuant to the rule appear on page 14811.

Quorum Calls—Votes: Four yea and nay votes and eight recorded votes developed during the proceedings of today and appear on pages 14753–55, 14782–86, and 14791–92. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:01 p.m.

Committee Meetings

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies approved for full Committee action the Labor, Health and Human Services, Education and Related Agencies appropriations for fiscal year 2005.

DOD TRADE OFFSETS IMPLICATIONS

Committee on Armed Services: Held a hearing on the economic, technology, vocational and skills implications of the Department of Defense trade offsets. Testimony was heard from Katherine V. Schinasi, Managing Director, Acquisition and Sourcing Management Team, GAO; and public witnesses.

FASB PROPOSALS ON STOCK OPTION EXPENSING

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled "FASB Proposals on Stock Option Expensing." Testimony was heard from David M. Walker, Comptroller General, GAO; Robert H. Herz, Chairman, Financial Accounting Standards Board; and public witnesses.

UN's OIL FOR FOOD PROGRAM

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "United Nations Oil for Food Program." Testimony was heard from Representative Flake; Joseph A. Christoff, Director, International Affairs and Trade, GAO; and public witnesses.

DIGESTIVE DISEASES

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Assessing Digestive Diseases Research and Treatment Opportunities." Testimony was heard from Allen M. Spiegel, M.D., Director, National Institute of Diabetes and Digestive and Kidney Diseases, Department of Health and Human Services; and public witnesses.

MISCELLANEOUS MEASURES; POST 9/11 WORLD TELEWORK OPPORTUNITIES

Committee on Government Reform: Ordered reported the following measures: H.R. 4380, To designate the facility of the United States Postal Service located at 4737 Mile Stretch Drive in Holiday, Florida, as the "Sergeant First Class Paul Ray Smith Post Office Building"; H.R. 4381, To designate the facility of the United States Postal Service located at 2811 Springdale Avenue in Springdale, Arkansas, as the "Harvey and Bernice Jones Post Office Building"; H.R. 4442, To designate the facility of the United States Postal Service located at 1050 North Hills Boulevard in Reno, Nevada, as the "Guardians of Freedom Memorial Post Office Building" and to authorize the installation of a plaque at such site; H. Res. 646, Expressing the sense of the House of Representatives that there should be established a National Community Health Center Week to raise awareness of health services provided by community, migrant, public housing, and homeless health centers; H. Res. 684, Honoring David Scott Tidmarsh, the 2004 Scripps National Spelling Bee Champion; and H. Res. 702, Honoring former President Gerald R. Ford on the occasion of his 91st birthday and extending the best wishes of the House of Representatives to former President Ford and his family.

The Committee also held a hearing entitled "Beneficial or Critical? The Heightened Need for Telework Opportunities in the Post-9/11 World." Testimony was heard from Kay Coles James, Director, OPM; Stephen A. Perry, Administrator, GSA; Pamela J. Gardiner, Acting Inspector General, Tax Administration, Department of the Treasury; Scott J. Cameron, Deputy Assistant Secretary, Performance, Accountability, and Human Resources, Department of the Interior; J. Christopher Mihm, Director, Strategic Issues, GAO; and a public witness.

TRAFFICKING IN PERSONS

Committee on Government Reform: Subcommittee on Human Rights and Wellness held a hearing entitled "Trafficking in Persons: The Federal Government's Approach to Eradicate This Worldwide Problem." Testimony was heard from John Miller, Director, Office to Monitor and Combat Trafficking in Persons, Department of State; Deborah Daniels, Assistant Attorney General, Office of Victims in Crimes, Office of Justice Programs, Department of Justice; Christopher Gersten, Principal Deputy Assistant Secretary, Administration for Children and Families, Department of Health and Human Services; and public witnesses.

FAMILY MOVIE ACT OF 2004

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property approved for full Committee action, as amended, H.R. 4586, Family Movie Act of 2004.

ENERGY AND MINERALS WORKFORCE

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing entitled "The Aging of the Energy and Minerals Workforce: A Crisis in the Making?" Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands approved for full Committee action the following bills: H.R. 1630, amended, Petrified Forest National Park Expansion Act of 2003; H.R. 2457, amended, Castillo de San Marcos National Monument Preservation and Education Act; H.R. 3954, amended, Rancho El Cajon Boundary Reconciliation Act; and S. 1576, Harpers Ferry National Historical Park Boundary Revision Act of 2003.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power approved for full Committee action the following bills: H.R. 3391, amended, Provo River Project Transfer Act; H.R. 4459, Llagas Reclamation Groundwater Remediation Initiative; and H.R. 4606, Southern California Groundwater Remediation Act.

The Subcommittee also held a hearing on the following bills: S. 943, To authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for storage of the city's water in the Kendrick Project, Wyoming; H.R. 4588, Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2004; and H.R. 4650, Witchita Project Equus Beds Division Authorization Act of 2004. Testimony was heard from Mark A. Limbaugh, Deputy Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2005

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of general debate on H.R. 4766, making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies for the fiscal year ending September 30, 2005, equally divided and controlled between the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule provides that the amendment printed in the Rules Committee report accompanying the resolution may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. The rule waives all points of order against the amendment printed in the report. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representative Bonilla.

WATER SUPPLY, RELIABILITY, AND ENVIRONMENTAL IMPROVEMENT ACT

Committee on Rules: Granted, by voice vote, a modified closed rule providing 1 hour of debate in the House on H.R. 2828, Water Supply, Reliability, and Environmental Improvement Act, equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Resources now printed in the bill shall be considered as adopted. The rule waives all points of order against the bill, as amended. The rule provides for consideration of the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution, if offered by Representative Calvert of California or his designee, which shall be considered as read, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment in the nature of a substitute printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Pombo and Representative Calvert.

WORKFORCE HEALTH IMPROVEMENT ACT

Committee on Small Business: Subcommittee on Tax, Finance and Exports held a hearing entitled "H.R. 1818, Workforce Health Improvement Program Act of 2003: Healthy Employees; Healthy Bottom Line." Testimony was heard from public witnesses.

OVERSIGHT—NATIONAL CAPITOL REGION AIR SPACE CONTROL

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on National Capitol Region Air Space Control: A Review of the Issues Surrounding the June 9, 2004 flight of "N24SP." Testimony was heard from Linda Schuessler, Vice Presi-

dent, System Operations Services, Air Traffic Organization, FAA, Department of Transportation; and Jonathan Fleming, Chief Operating Officer, Transportation Security Administration, Department of Homeland Security.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing on the following bills: H.R. 784, Water Quality Investment Act of 2003; H.R. 4470, To amend the Federal Water Pollution Control Act to extend the authorization of appropriations for the Lake Pontchartrain Basin Restoration Program from fiscal year 2005 to 2010; H.R. 4688, To amend the Federal Water Pollution Control Act to reauthorize the Chesapeake Bay Program; and H.R. 4731, To amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program. Testimony was heard from Representatives Camp and Vitter; and public witnesses.

VETERANS MEDICAL FACILITIES MANAGEMENT ACT OF 2004

Committee on Veterans' Affairs: Subcommittee on Health approved for full Committee action H.R. 4768, Veterans Medical Facilities Management Act of 2004.

U.S.-AUSTRALIA FREE TRADE IMPLEMENTATION ACT; CUSTOMS BORDER SECURITY AND TRADE AGENCIES AUTHORIZATION ACT

Committee on Ways and Means: Ordered reported the following bills: H.R. 4759, United States-Australia Free Trade Agreement Implementation Act; and H.R. 4418, amended, Customs Border Security and Trade Agencies Authorization Act of 2004.

STRENGTHENING HOMELAND SECURITY

Select Committee on Homeland Security: Held a hearing entitled "Practice Makes Perfect: Strengthening Homeland Security by Exercising Terrorism Scenarios." Testimony was heard from the following officials of the Department of Homeland Security: C. Suzanne Mencer, Executive Director, Office of State and Local Government Coordination and Preparedness; and Corey D. Gruber, Associate Director, Office for Domestic Preparedness; Thomas O. Mefferd, Director, DuPage County Office of Homeland Security and Emergency Management, State of Illinois; and Clark Kimerer, Deputy Chief of Operations, Seattle Police Department, State of Washington.

Friday, July 9, 2004

Senate

Chamber Action

Routine Proceedings, pages 14933–65

Measures Introduced: Two bills and two resolutions were introduced, as follows: S. 2636–2637, S. Res. 402, and S. Con. Res. 122. **Page 14959**

Measures Reported: Special Report entitled "Report of the Select Committee on Intelligence on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq". (S. Rept. No. 108–301) **Page 14959**

Measures Passed:

E-Government Act Amendment: Senate passed H.R. 1303, to amend the E-Government Act of 2002 with respect to rulemaking authority of the Judicial Conference, clearing the measure for the President. **Page 14962**

Food Aid Programs 50th Anniversary: Senate agreed to S. Res. 402, expressing the sense of the Senate with respect to the 50th anniversary of the food aid programs established under the Agricultural Trade Development and Assistance Act of 1954. **Page 14962**

National Marina Day: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. Res. 361, supporting the goals of National Marina Day and urging marinas to continue providing environmentally friendly gateways to boating, and the resolution was then agreed to. **Page 14963**

Constitutional Amendment on Marriage: Senate began consideration of the motion to proceed to consideration of S.J. Res. 40, proposing an amendment to the Constitution of the United States relating to marriage. **Page 14964**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the joint resolution at 1 p.m., on Monday, July 12, 2004. **Page 14964**

Messages From the House: **Page 14959**

Measures Referred: **Page 14959**

Measures Placed on Calendar: **Page 14959**

Additional Cosponsors: **Page 14959**

Statements on Introduced Bills/Resolutions: **Page 14960**

Additional Statements: **Page 14959**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 3:22 p.m., until 1 p.m., on Monday, July 12, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 14965.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 21 public bills, H.R. 4790–4810; and 1 private bill, H.R. 4811, were introduced. Page 15035

Additional Cosponsors: Page 15036

Reports Filed: Reports were filed today as follows:

H.R. 4600, amended, to amend section 227 of the Communications Act of 1934 to clarify the prohibition on junk fax transmissions (H. Rept. 108–593); and

H.R. 3981, amended, to reclassify fees paid into the Nuclear Waste Fund as offsetting collections (H. Rept. 108–594). Page 15035

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative LaTourette to act as Speaker Pro Tempore for today. Page 14966

Veterans' Disability Benefits Commission: The Chair announced the Minority Leader's appointment of Col. Larry G. Brown of Oregon and Mr. Joe Wynn of Washington, D.C. to the Veterans' Disability Benefits Commission. Page 14968

Water Supply, Reliability, and Environmental Improvement Act—Rule for Consideration: The House agreed to H. Res. 711, the rule providing for consideration of H.R. 2828, the Water Supply, Reliability, and Environmental Improvement Act, by a recorded vote of 237 ayes to 158 noes, Roll No. 351. Page 14968

Agreed to table the Frank (MA) motion to appeal the ruling of the Chair by a yea and nay vote of 197 yeas to 165 nays, Roll No. 348; Page 14971

Agreed to ordering the previous question by a recorded vote of 216 ayes to 180 noes, Roll No. 350; Page 14976

Agreed to table the Wicker motion to reconsider adoption of the rule by a recorded vote of 210 ayes to 181 noes, and 1 voting present, Roll No. 352. Page 14977

Water Supply, Reliability, and Environmental Improvement Act: The House passed H.R. 2828, to authorize the Secretary of the Interior to implement water supply technology and infrastructure programs aimed at increasing and diversifying domestic water resources. Pages 14979, 15029

Rejected the George Miller (CA) motion to recommit the bill to the Committee on Resources with instructions with an amendment to strike section 103(b)(5)(A)(i)(III), by a yea and nay vote of 139 yeas to 254 nays, Roll No. 354; Page 15002

Agreed to the Calvert substitute amendment that modifies how ecosystem restoration plans are implemented and requires more Congressional oversight of Calfed projects prior to federal expenditure. Page 14997

The Clerk was authorized to make technical and conforming changes to the engrossment of H.R. 2828. Page 15029

Manufacturing Technology Competitiveness Act of 2003: The House passed H.R. 3598, to establish an interagency committee to coordinate Federal manufacturing research and development efforts in manufacturing, strengthen existing programs to assist manufacturing innovation and education, and expand outreach programs for small and medium-sized manufacturers. Page 15004

Rejected the Costello motion to recommit the bill to the Committee on Science by a recorded vote of 171 ayes to 193 noes, Roll No. 358; Page 15025

Agreed to:

Peterson of Pennsylvania amendment (No. 3 printed in H. Rept. 108–589) that clarifies requirements to ensure that Manufacturing Extension Partnership (MEP) centers submit audited, annual budgets and provide financial disclosure documents consistent with OMB requirements, and that the documents be made available to the public upon request; Page 15019

Rejected:

Jackson-Lee amendment (No. 1 printed in H. Rept. 108–589) that prohibits the use of funds for general recompetition of Manufacturing Extension Partnership (MEP) centers by a recorded vote of 166 ayes to 197 noes, Roll No. 356; Pages 15016, 15023

Larson (CT) amendment (No. 2 printed in H. Rept. 108–589) that re-orients the current Technology Administration (TA), the Undersecretary of Technology, and Office of Technology Policy towards manufacturing and competitiveness issues by a recorded vote of 170 ayes to 189 noes, Roll No. 357; Pages 15018, 15024

Gordon amendment (No. 4 printed in H. Rept. 108–589) that authorizes funds for the Manufacturing Extension Partnership (MEP) and an increase for FY 06–08, and allows the federal cost-share for MEP centers in the FY 05–08 to increase on a case-by-case basis as determined by the Administration by a recorded vote of 170 ayes to 192 noes, Roll No. 355; Page 15020

H. Res. 706, the rule providing for consideration of the bill was agreed to on Thursday, July 8.

Motion to Adjourn: Rejected the McGovern motion to adjourn by a yea and nay vote of 54 yeas to 334 nays, Roll No. 349. Page 14975

Motion to Adjourn: Rejected the McGovern motion to adjourn by a recorded vote of 41 ayes to 353 noes, Roll No. 353. Page 14978

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, July 14. Page 15029

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12:30 p.m. on Monday, July 12, for morning hour debate. **Page 15029**

Senate Message: Message received from the Senate today appears on page 14966.

Senate Referrals: S. 2634 was referred to the Committee on Energy and Commerce. **Page 15034**

Amendments: Amendments ordered printed pursuant to the rule appear on page 15036.

Quorum Calls—Votes: Three yea and nay votes and 8 recorded votes developed during the proceedings of today and appear on pages 14971, 14975–79, 15004, and 15023–26. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 5:08 p.m.

Committee Meetings

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS AND MILITARY CONSTRUCTION APPROPRIATIONS FOR FISCAL YEAR 2005

Committee on Appropriations: Ordered reported the following appropriations for fiscal year 2005: Foreign Operations, Export Financing and Related Programs; and Military Construction.

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Monday, July 12, 2004

Senate

Chamber Action

Routine Proceedings, pages 15055–95

Measures Introduced: One bill and two resolutions were introduced, as follows: S. 2638, S. Res. 403, and S. Con. Res. 123. **Page 15091**

Measures Passed:

Recognizing Marshall Islands Constitution Anniversary: Committee on Foreign Relations was discharged from further consideration of H. Con. Res. 410, recognizing the 25th anniversary of the adoption of the Constitution of the Republic of the Marshall Islands and recognizing the Marshall Islands as a staunch ally of the United States, committed to principles of democracy and freedom for the Pacific region and throughout the world, and the resolution was then agreed to. **Page 15094**

Constitutional Amendment on Marriage: Senate resumed consideration of the motion to proceed to consideration of S.J. Res. 40, proposing an amendment to the Constitution of the United States relating to marriage. **Page 15055**

A motion was entered to close further debate on the motion to proceed to consideration of the joint resolution and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur at 12 noon, on Wednesday, July 14, 2004. **Page 15084**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the joint resolution at approximately 10:45 a.m., on Tuesday, July 13, 2004; further, that the time until 8 p.m. be equally divided. **Page 15094**

National Commission on the Cost of Higher Education—Agreement: A unanimous-consent agreement was reached providing that the Senate's action of Tuesday, July 6, 2004, with respect to the appointment of Clare M. Cotton, of Massachusetts, to serve as a member of the National Commission on the Cost of Higher Education, be vitiated. **Page 15094**

Nominations Received: Senate received the following nominations:

James Ballinger, of Arizona, to be a Member of the National Council on the Arts for a term expiring September 3, 2010.

Terence Alan Teachout, of New York, to be a Member of the National Council on the Arts for a term expiring September 3, 2010.

George Perdue, of Georgia, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring November 5, 2006.

Ruben Castillo, of Illinois, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2009. (Reappointment)

1 Air Force nomination in the rank of general.

1 Army nomination in the rank of general.

2 Navy nominations in the rank of admiral. **Page 15095**

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

James M. Strock, of California, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2006, which was sent to the Senate on November 21, 2003. **Page 15095**

Messages From the House: **Page 15089**

Measures Referred: **Page 15089**

Executive Communications: **Page 15089**

Additional Cosponsors: **Page 15091**

Statements on Introduced Bills/Resolutions: **Page 15092**

Additional Statements: **Page 15086**

Notices of Hearings/Meetings: Page 15094

Adjournment: Senate convened at 1 p.m., and adjourned at 6:39 p.m., until 9:45 a.m., on Tuesday, July 13, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 15095.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 6 public bills, H.R. 4812–4817; and; 1 resolution, H. Con. Res. 471, were introduced. Page 15160

Additional Cosponsors: Page 15160

Reports Filed: Reports were filed today as follows:

H.R. 3428, a bill to designate a portion of the United States courthouse located at 2100 Jamieson Avenue, in Alexandria, Virginia, as the "Justin W. Williams United States Attorney's Building" (H. Rept. 108–595);

H.R. 3734, a bill to designate the Federal building located at Fifth and Richardson Avenues in Roswell, New Mexico, as the "Joe Skeen Federal Building" (H. Rept. 108–596); and

H.R. 4759, a bill to implement the United States-Australia Free Trade Agreement (H. Rept. 108–597). Page 15160

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Aderholt to act as Speaker Pro Tempore for today. Page 15096

Suspensions: The House agreed to suspend the rules and agree to the following measures:

Honoring Dinah Washington for her achievements as a talented vocalists: H. Con. Res. 144, Expressing the sense of Congress that Dinah Washington should be recognized for her achievements as one of the most talented vocalists in American popular music history; Page 15098

Congratulating the California State University, Fullerton Titans baseball team for winning the NCAA Division I World Series: H. Res. 704, Congratulating the California State University, Fullerton Titans baseball team for winning the 2004 National Collegiate Athletic Association Division I College World Series; Page 15099

To resolve the boundary conflicts in Barry and Stone Counties in the State of Missouri: S. 1167, to resolve the boundary conflicts in Barry and Stone Counties in the State of Missouri; Page 15100

National Community Health Center Week: H. Res. 646, Expressing the sense of the House of Representatives that there should be established a National Community Health Center Week to raise awareness of health services provided by community, migrant, public housing, and homeless health centers; Page 15101

Honoring David Scott Tidmarsh, the 2004 Scripps National Spelling Bee Champion: H. Res. 684, honoring David Scott Tidmarsh, the 2004 Scripps National Spelling Bee Champion; Page 15103

Honoring Former President Gerald R. Ford on the Occasion his 91st Birthday: H. Res. 702, honoring former President Gerald R. Ford on the occasion of his 91st birthday and extending the best wishes of the House of Representatives to the former President and his family; and Page 15104

Sergeant First Class Paul Ray Smith Post Office Building Designation: H.R. 4380, to designate the facility of the United States Postal Service located at 4737 Stretch Drive in Holiday, Florida, as the "Sergeant First Class Paul Ray Smith Post Office Building". Page 15106

Legislative Branch Appropriations Act for Fiscal Year 2005: Agreed to H.R. 4755, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2005, by a yea and nay vote of 327 yeas to 43 nays, Roll No. 362; Page 15111

Rejected the Sherman motion to recommit the bill to the Committee on Appropriations with an amendment prohibiting the use of funds for postage expenses of any single committee in an aggregate amount exceeding $25,000, by a recorded vote of 163 ayes to 205 nays, Roll No. 361. Page 15121

Holt amendment (printed in H. Res. 108–590) that sought to add $30 million to the salaries and expense account of the U.S. General Accounting Office (GAO) to establish within GAO a Center for Science and Technology Assessment; reduce by $15 million the general administration account from the Architect of the Capitol, and also reduces by $15 million the congressional printing and binding account of the Government Printing Office, by a recorded vote of 115 ayes to 252 nays, Roll No. 359; Pages 15117, 15120

Hefley amendment (printed in H. Res. 108–590) that sought to provide that each amount appropriated or otherwise made available in the Act that is not required to be appropriated or otherwise made available by a provision of law be reduced by 1%; by a recorded vote of 87 ayes to 278 nays, Roll No. 360; Pages 15119, 15120

H. Res. 707, the rule providing for consideration of the bill was agreed to on Thursday, July 8.

Agriculture Appropriations Act for Fiscal Year 2005—Rule for Consideration: Agreed to H. Res. 710, the rule providing for consideration of the bill H.R. 4766, making appropriations for Agriculture, Rural De-

velopment, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005. Page 15108

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for Fiscal Year 2005: The House considered H.R. 4766 making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005. Page 15125

Recess: The House recessed at 12:40 p.m. and reconvened at 2 p.m. Page 15097

Recess: The House recessed at 3:10 p.m. and reconvened at 5:30 p.m. Page 15108

Senate Message: Message received from the Senate today appears on page 15097.

Quorum Calls—Votes: One yea and nay vote, and three recorded votes developed during the proceedings of today and appear on pages 15120–21 and 15123–24. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:22 p.m.

Committee Meetings

No committee meetings were held.

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Tuesday, July 13, 2004

Senate

Chamber Action

Routine Proceedings, pages 15294–15408

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 2639–2650, S. Res. 404, and S. Con. Res. 124. Page 15384

Measures Reported:

S. 155, to convey to the town of Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation, with an amendment. (S. Rept. No. 108–302)

S. 1467, to establish the Rio Grande Outstanding Natural Area in the State of Colorado, with an amendment in the nature of a substitute. (S. Rept. No. 108–303)

S. 1521, to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community, with amendments. (S. Rept. No. 108–304)

H.R. 1658, to amend the Railroad Right-of-Way Conveyance Validation Act to validate additional conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to facilitate the construction of the transcontinental railway, with an amendment. (S. Rept. No. 108–305) Page 15383

Constitutional Amendment on Marriage: Senate continued consideration of the motion to proceed to consideration of S.J. Res. 40, proposing an amendment to the Constitution of the United States relating to marriage.

Pages 15303, 15313, 15339

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the joint resolution at approximately 10 a.m., on Wednesday, July 14, 2004; that the time until 11:30 a.m. be equally divided, and the time between 11:30 a.m., and 12 noon, be divided among certain Senators; and that at 12 noon, Senate vote on the motion to invoke cloture on the motion to proceed to consideration of the joint resolution. Page 15407

E-Government Act Amendment—Agreement: A unanimous-consent agreement was reached providing that the Senate request the return from the House of Representatives the papers with respect to H.R. 1303, to amend the E-Government Act of 2002 with respect to rulemaking authority of the Judicial Conference, and that the Senate action of July 9, 2004 on passage of the measure be vitiated, and the bill returned to the Committee on Governmental Affairs for appropriate action.

Page 15407

Nominations Confirmed: Senate confirmed the following nominations:

Christine Todd Whitman, of New Jersey, to be a Member of the Board of Directors of the Millennium Challenge Corporation (prior to this action, Committee on Foreign Relations was discharged from further consideration); and

Kenneth Francis Hackett, of Maryland, to be a Member of the Board of Directors of the Millennium Challenge Corporation (prior to this action, Committee on Foreign Relations was discharged from further consideration). Pages 15407, 15408

Messages From the House: Page 15381

Measures Referred: Page 15381

Executive Communications: Page 15381

Additional Cosponsors: Page 15384

Statements on Introduced Bills/Resolutions: Page 15385

Additional Statements: Page 15379

Notices of Hearings/Meetings: Page 15406

Authority for Committees to Meet: Page 15406

Privilege of the Floor: Page 15407

Adjournment: Senate convened at 9:45 a.m., and adjourned at 10:14 p.m., until 9:30 a.m., on Wednesday, July 14, 2004. (For Senate's program, see the remarks of

the Acting Majority Leader in today's Record on page 15408.)

Committee Meetings

GRAMM-LEACH-BLILEY ACT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the Gramm-Leach-Bliley Act (P.L. 106–102), to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers, after receiving testimony from Harry P. Doherty, Independence Community Bank Corporation, Brooklyn, New York, on behalf of America's Community Bankers; Terry Jorde, CountryBank USA, Cando, North Dakota, on behalf of the Independent Community Bankers of America; Ronnie Turbertini, SouthGroup Insurance and Financial Services, Jackson, Mississippi, on behalf of the Independent Insurance Agents and Brokers of America, Inc.; and Travis B. Plunkett, Consumer Federation of America, Steve Bartlett, Financial Services Roundtable, James D. McLaughlin, American Bankers Association, John Taylor, National Community Reinvestment Coalition, and J. Steven Judge, Securities Industry Association, all of Washington, D.C.

CORPORATION FOR PUBLIC BROADCASTING

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the proposed reauthorization of the Corporation for Public Broadcasting, after receiving testimony from Kathleen A. Cox, President and CEO, Corporation for Public Broadcasting; Carl Matthusen, KJZZ–FM, KBAQ–FM, Sun Sounds Radio Reading Services, Tempe, Arizona; Ken Burns, Florentine Films, Walpole, New Hampshire, on behalf of PBS; Loris Ann Vincente-Taylor, KUYI 88.1 FM, Keams Canyon, Arizona, on behalf of the Hopi Foundation; and Peter A. Frid, New Hampshire Public Television, University of New Hampshire, Durham, on behalf of the Association of Public Television Stations.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of David M. Stone, of Virginia, to be an Assistant Secretary of Homeland Security, Transportation Security Administration, and Albert A. Frink, Jr., of California, to be Assistant Secretary of Commerce for Manufacturing and Services, after each nominee testified and answered questions in their own behalf.

NUCLEAR POWER

Committee on Energy and Natural Resources: Committee concluded an oversight hearing to examine the role of nuclear power in national energy policy, focusing on the high-level nuclear waste repository at the Yucca Mountain, Nevada site, the Advanced Fuel Cycle Initiative (AFCI), the Nuclear Energy Research Advisory Committee (NERAC), and enhancing nuclear technology education, after receiving testimony from Kyle E. McSlarrow, Deputy Secretary of Energy.

HUMAN TRAFFICKING

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine human trafficking issues, focusing on mail order bride abuses, including exploitation and physical abuse, forced motherhood, threats of deportation, marketing of extremely vulnerable populations, underage children on marriage agency websites, and informational, economic, cultural, and legal vulnerability, after receiving testimony from Senator Cantwell; John R. Miller, Director, Office to Monitor and Combat Trafficking in Persons, Department of State; Michele A. Clark, Johns Hopkins University School of International Studies Foreign Policy Institute, and Suzanne Jackson, George Washington University Law School, both of Washington, D.C.; and Donna M. Hughes, University of Rhode Island Women's Studies Program, Kingston.

OLYMPIC GAMES SECURITY

Committee on Foreign Relations: Committee met in closed session to receive a briefing on security preparations for the 2004 Olympic Games from Thomas J. Miller, U.S. Ambassador to Greece.

FEDERAL SENTENCING REFORM

Committee on the Judiciary: Committee concluded a hearing to examine the impact of the U.S. Supreme Court's decision in Blakely v. Washington on the current and future operation of the federal sentencing guidelines, focusing on concerns regarding the validity of the federal guideline system, after receiving testimony from William W. Mercer, United States Attorney for the District of Montana, Helena, Department of Justice; John R. Steer, and William K. Sessions, III, Chief United States District Judge for the District of Vermont, both a Vice Chair and Commissioner, United States Sentencing Commission; Lawrence L. Piersol, Chief United States District Judge for the District of South Dakota, Sioux Falls, on behalf of the Federal Judges Association; Paul G. Cassell, United States District Judge for the District of Utah, Salt Lake City; Frank O. Bowman, III, Indiana University School of Law, Indianapolis; Rachel E. Barkow, New York University School of Law, and Alan Vinegrad, Covington and Burling, both of New York, New York; and Ronald Weich, Zuckerman Spaeder LLP, Washington, D.C.

PROPERTY RIGHTS

Committee on the Judiciary: Committee concluded a hearing to examine section 211 of the Department of Commerce Appropriations Act, of 1999, as included in the Omnibus Consolidated and Emergency Supplemental Appropria-

tions Act of 1999 (Public Law 105–277), focusing on intellectual property rights relating to Cuba, after receiving testimony from Nancie G. Marzulla, Defenders of Property Rights, William A. Reinsch, National Foreign Trade Council, Inc., and Bruce A. Lehman, former Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, all of Washington, D.C.; Kenneth B. Germain, University of Cincinnati College of Law, Cincinnati, Ohio; and Ramon Arechabala, Miami, Florida.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

STEROID ABUSE

United States Senate Caucus on International Narcotics Control: Caucus concluded a hearing to examine the abuse of anabolic steroids and their precursors by adolescent amateur athletes, after receiving testimony from Joseph T. Rannazzisi, Deputy Director, Office of Diversion Control, Drug Enforcement Administration, Department of Justice; Terry Madden, United States Anti-Doping Agency, Colorado Springs, Colorado; William C. Martin, University of Michigan, Ann Arbor; Don H. Catlin, University of California at Los Angeles Olympic Analytical Laboratory; Curtis A. Wenzlaff, Flint, Michigan; Don Hooten, Plano, Texas; and an anonymous witness.

House of Representatives

Chamber Action

Measures Introduced: 10 public bills, H.R. 4819–4828; and 2 resolutions, H. Res. 713–714 were introduced. **Page 15290**

Additional Cosponsors: **Page 15291**

Reports Filed: Reports were filed today as follows:

H.R. 4418, to authorize appropriations for fiscal years 2005 and 2006 for the Bureau of Customs and Border Protection and the Bureau of Immigration and Customs Enforcement of the Department of Homeland Security, for the Office of the United States Trade Representative, for the United States International Trade Commission, amended (H. Rept. 108–598, Pt. 1);

H.R. 4818, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005 (H. Rept. 108–599);

H.R. 3632, to prevent and punish counterfeiting of copyrighted copies and phonorecords, amended (H. Rept. 108–600);

S. 2363, to revise and extend the Boys and Girls Clubs of America (H. Rept. 108–601); and

H. Res. 712, providing for consideration of H.R. 4759, to implement the United States-Australia Free Trade Agreement (H. Rept. 108–602). **Page 15290**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Bradley to act as Speaker Pro Tempore for today. **Page 15172**

Recess: The House recessed at 9:33 a.m. and reconvened at 10 a.m. **Page 15175**

Chaplain: The prayer was offered today by Rev. Dr. Joseph W. Collins, Pastor, Mount Carmel United Methodist Church in Winston-Salem, North Carolina. **Page 15175**

Discharge Petition: Representative Frost moved to discharge the Committee on Rules from the consideration of H. Res. 696, providing for consideration of H.R. 3767, to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare Program (Discharge Petition no. 9).

Department of Defense Appropriations Act for FY 2005—Motion to go to Conference: The House disagreed to the Senate amendments to H.R. 4613, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, and agreed to a conference. **Page 15179**

Agreed to the Jackson (IL) motion to instruct conferees on the bill by a voice vote. **Page 15179**

Appointed as conferees: Representatives Lewis (CA), Young (FL), Hobson, Bonilla, Nethercutt, Cunningham, Frelinghuysen, Tiahrt, Wicker, Murtha, Dicks, Sabo, Visclosky, Moran (VA), and Obey. **Page 15185**

Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act for FY 2005: The House passed H.R. 4766, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005, by a yea and nay vote of 389 yeas to 31 nays, Roll No. 370. The bill was also debated on Monday, July 12. **Pages 15185, 15216**

Agreed to limit the number of and time limit for debate on further amendments to the bill. **Page 15208**

Agreed to:

Hyde amendment (printed in H. Rept 108–591, modified by unanimous consent) that changes the title of the "John Ogonowski Farmer-to-Farmer Program" to the "Doug Bereuter and John Ogonowski Farmer-to-Farmer Program"; **Page 15186**

Bonilla amendment that increases funding for the Farm Service Agency, the Natural Resources Conservation Service, and Rural Development; **Page 15187**

Kaptur amendment (no. 3 printed in the Congressional Record of July 9) that increases the funding for direct and guaranteed renewable energy loans and grants; **Page 15194**

Blumenauer amendment (no. 13 printed in the Congressional Record of July 12) that reduces funding for the Office of the Inspector General, and increases it by the same amount, resulting in no change in funding; (agreed to limit time for debate on the amendment); **Page 15201**

Hooley en bloc amendment that increases funding for the Animal and Plant Health Inspection Service (by a recorded vote of 260 ayes to 160 noes, Roll No. 363); **Pages 15196, 15213**

Weiner amendment that increases funding for the Animal and Plant Health Inspection Services (by a recorded vote of 223 ayes to 197 noes, Roll No. 364); **Pages 15198, 15214**

Lucas amendment (no. 5 printed in the Congressional Record of July 9) that prohibits the use of funds for any of the Environmental Quality Incentives, Wildlife Habitat Incentive, Grassland Reserve or Farmland Protection programs from being used for technical assistance under the Conservation Reserve or Wetland Reserve programs; **Page 15218**

Sanders amendment that increases funding for the Rural Community Advancement Program; **Page 15224**

Flake amendment that prohibits the use of funds to pay the salaries and expenses of employees of the Department of Agriculture who make payments from any appropriated funds to tobacco quota holders or producers of quota tobacco pursuant to any law enacted after July 1, 2004; **Page 15224**

Kaptur amendment (no. 10 printed in the Congressional Record of July 12) that prohibits the use of funds to provide credits or credit guarantees for agricultural commodities provided for use in Iraq in violation of provisions of the Agricultural Trade Act of 1978; **Page 15230**

Hinchey amendment that increases funding for the Center for Drug Evaluation and Research; **Page 15233**

Kaptur amendment that prohibits the use of funds to pay the federal share of the administrative costs of any state's operation of the food stamp program that are performed outside the U.S.; **Page 15234**

Maloney amendment (no. 11 printed in the Congressional Record of July 12) that prohibits the Food and Drug Administration from using funds in the bill to restrict the prescription use of any contraceptive that is determined to be safe and effective; and **Page 15237**

Obey amendment that reinstates section 717 of the bill regarding the acquisition of new information technology systems by the Department of Agriculture. **Page 15242**

Rejected:

Baca amendment that sought to increase funding for the Office of the Assistant Secretary for Civil Rights (by a recorded vote of 205 ayes to 209 noes, Roll No. 366); **Page 15243**

Tancredo amendment that sought to prohibit the use of funds for the Food Stamp Program in contravention of the Immigration and Nationality Act (by a recorded vote of 156 ayes to 262 noes, Roll No. 367); **Pages 15219, 15244**

Chabot amendment (no. 7 printed in the Congressional Record of July 12) that sought to prohibit the use of funds from being used to carry out activities in the Market Access Program (by a recorded vote of 72 ayes to 347 noes, Roll No. 368); and **Pages 15221, 15244**

Kaptur amendment that sought to increase funding for the Farmers Market Promotion Program (by a recorded vote of 206 ayes to 213 noes, Roll No. 369). **Pages 15235, 15245**

Withdrawn:

Brown of Ohio amendment, that was offered and subsequently withdrawn that sought to prohibit the use of funds for school lunch or breakfast programs to purchase chickens or chicken products from companies that do not have a stated policy that such companies do not use fluoroquinolone in their chickens. **Page 15217**

Point of Order sustained against:

Baca amendment (no. 9 printed in the Congressional Record of July 12) that would have increased funding for the Office of the Assistant Secretary of Civil Rights, for activities under the Cooperative State Research, Education, and Extension Service; **Page 15193**

Weiner amendment that would have increased funding for the Animal and Plant Health Inspection Service; **Page 15200**

Section 717 regarding the acquisition of new information technology systems by the Department of Agriculture; **Page 15213**

Section 751 regarding unobligated balances in the Local Television Loan Guarantee Program; **Page 15213**

Lucas amendment (no. 4 printed in the Congressional Record of July 9) that would have added language to the bill's provisions that changes the Food Security Act of 1985 to prohibit the use of funds provided for Commodity Credit Corporation, starting in FY05 and for each fiscal year thereafter, for technical assistance for the Farmland Protection, Grassland Reserve, Environmental Quality Incentives, and Wildlife Habitat Incentives programs; and **Page 15216**

Tiahrt amendment (no. 12 printed in the Congressional Record of July 12) that would have prohibited the use of funds for official travel of Agriculture Department employees in Washington DC, until the Agriculture Secretary implements a voluntary program for beef slaughtering establishments to test for bovine spongiform encephalopathy. **Page 15237**

H. Res. 710, the rule providing for consideration of the bill was agreed to on Monday, July 12.

Department of Defense Appropriations Act for FY05—Conference Committee: Agreed to close portions of the conference to the public when classified information is discussed, by a yea and nay vote of 411 yeas to 6 nays, Roll No. 365. **Page 15215**

Project BioShield Act of 2003—Order of Business: Agreed that it be in order at any time without intervention of any point of order to consider S. 15, to amend the Public Health Service Act to provide protections and countermeasures against chemical, radiological, or nuclear agents that may be used in a terrorist attack against the United States by giving the National Institutes of Health contracting flexibility, infrastructure improvements, and expediting the scientific peer review process, and streamlining the Food and Drug Administration approval process of countermeasures; that the bill be considered as read for amendment; and that the previous question be considered as ordered on the bill to final passage without intervening motion except (1) 90 minutes of debate equally divided and controlled, and (2) one motion to recommit.

Page 15216

Amendments: Amendments ordered printed pursuant to the rule appear on page 15292.

Quorum Calls—Votes: Two yea and nay votes and six recorded votes developed during the proceedings of today and appear on pages 15213–16, 15243–46, and 15250. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 11:33 p.m.

Committee Meetings

COLLEGE ACCESS AND OPPORTUNITY ACT

Committee on Education and the Workforce: Held a hearing on H.R. 4283, College Access and Opportunity Act of 2004, focusing on Graduation Rates and Student Outcomes. Testimony was heard from public witnesses.

CONSOLIDATE OFFICES OF COUNTER INTELLLIGENCE AT NNSA AND DOE

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "A Hearing to Review Proposals to Consolidate the Offices of Counter Intelligence at NNSA and DOE." Testimony was heard from the following officials of the Department of Energy: Linton F. Brooks, Administrator, National Nuclear Security Administration; and Steve Dillard, Director, Office of Counterintelligence; and a public witness.

IMPLEMENT INTERNATIONAL CONVENTIONS

Committee on Energy and Commerce: Subcommittee on Environment and Hazardous Materials, hearing entitled "POPs, Pic, and LRTAP: the Role of the United States and Draft Legislation to Implement These International Conventions." Testimony was heard from Claudia McMurray, Deputy Assistant Secretary, Environment, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State; Susan B. Hazen, Principal Deputy Assistant Administrator, Office of Prevention, Pesticides, and Toxic Substances, EPA; and public witnesses.

SAMARITAN INITIATIVE ACT

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing on H.R. 4057, Samaritan Initiative Act of 2004. Testimony was heard from public witnesses.

REVIEW—OFFICE OF FEDERAL HOUSING ENTERPRISE AND FEDERAL HOUSING FINANCE BOARD

Committee on Financial Services: Subcommittee on Oversight and Investigations and the Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a joint hearing entitled "A Review of the Office of Federal Housing Enterprise Oversight and Federal Housing Finance Board." Testimony was heard from the following officials of the Department of Housing and Urban Development: Armando Falcon. Jr., Director, Office of Federal Housing Enterprise Oversight; and Alicia R. Castaneda, Chairman, Federal Housing Finance Board.

FEDERAL HIRING PROCESS—SHORTENING THE LONG AND WINDING ROAD

Committee on Government Reform: Subcommittee on Civil Service and Agency Organization concluded hearings entitled "The Federal Hiring Process II: Shortening the Long and Winding Road." Testimony was heard from Dan Blair, Deputy Director, OPM; David Chu, Under Secretary, Personnel and Readiness, Department of Defense; Ed Sontag, Assistant Secretary, Administration and Management, Chief Human Capital Officer, Department of Health and Human Services; Claudia Cross, Chief Human Capital Officer, Director, Office of Human Resources Management, Department of Energy; and J. Christopher Mihm, Director, Strategic Issues, GAO.

VISA REVOCATIONS

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations continued hearings entitled "Visa Revocations II: Still Porous, Slow to Fix." Testimony was heard from Jess T. Ford, International Affairs and Trade Division, GAO; Tony Edson, Managing Director, Office of Visa Services, Department of State; the following officials of the Department of Homeland Security: Robert M. Jacksta, Executive Director, Border Security and Facilitation, Bureau of Customs and Border Protection; and Robert A. Schoch, Deputy Assistant Director, National Security Investigations, Bureau of Immigration and Customs Enforcement; and Donna A. Bucella, Director, Terrorist Screening Center, FBI, Department of Justice.

INFORMATION SHARING—LINKING LAW ENFORCEMENT AND HOMELAND SECURITY WITH FEDERAL, STATE AND LOCAL GOVERNMENTS

Committee on Government Reform: Subcommittee on Technology, Information Policy, Information Policy, Intergov-

ernmental Relations and the Census held an oversight hearing entitled "Facilitating an Enhanced Information Sharing Network that Links Law Enforcement and Homeland Security for Federal, State and Local Governments." Testimony was heard from LTG Patrick Hughes, USA, Assistant Secretary, Information Analysis, Department of Homeland Security; Russell Travers, Deputy Director, and Associate Director, Defense Issues, Terrorist Threat Integration Center; Willie Hulon, Deputy Assistant Director, Counterterrorism Division FBI, Department of Justice; Gerald Lynch, Executive Director, Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network; Mark Zadra, Chief of Investigations, Department of Law Enforcement, State of Florida; and Suzanne Peck, Chief Technology Officer, District of Columbia.

OVERSIGHT—GAMING

Committee on Resources: Held an oversight hearing on gaming on off-reservation, restored and newly-acquired lands. Testimony was heard from Representative McCrery; Aurene Martin, Principal Deputy Assistant Secretary, Indian Affairs, Department of the Interior; and public witnesses.

OVERSIGHT—STATUS OF OCEAN OBSERVING SYSTEMS IN U.S.

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held an oversight hearing on the Status of Ocean Observing Systems in the United States. Testimony was heard from Rick Spinrad, Director, National Ocean Service, NOAA, Department of Commerce; Margaret S. Leinen, Assistant Director, Geosciences, NSF; Robert Winokur, Technical Director, Oceanographer of the Navy, Department of the Navy; and public witnesses.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS

Committee on Rules: Heard testimony from Representatives Kolbe, Lowey, and Lantos, but action was deferred on H.R. 4818, Foreign Operations, Export Financing and Related Programs Appropriations for Fiscal Year 2005.

U.S.-AUSTRALIA FREE TRADE AGREEMENT IMPLEMENTATION ACT

Committee on Rules: Granted by voice vote, a closed rule on H.R. 4759, United States-Australia Free Trade Agreement Implementation Act, providing for two hours of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that pursuant to section 151(f)(2) of the Trade Act of 1974, the previous question shall be considered as ordered on the bill to final passage without intervening motion. Section 2 of the resolution provides that during consideration of the bill, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard from Representative Crane.

OVERSIGHT—GSA'S FISCAL YEAR CAPITAL INVESTMENT AND LEASING PROGRAM

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management held an oversight hearing on GSA's Fiscal Year 2005 Capital Investment and Leasing Program. Testimony was heard from F. Joseph Moravec, Commissioner, Public Buildings Service, GSA; and Jane R. Roth, Judge, U.S. Court of Appeals, Third Circuit and Chairman, Committee on Security and Facilities, Judicial Conference.

EXAMINE CHILD WELFARE REFORM PROPOSALS

Committee on Ways and Means: Subcommittee on Human Resources held a hearing to Examine Child Welfare Reform Proposals. Testimony was heard from public witnesses.

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Wednesday, July 14, 2004

Senate

Chamber Action

Routine Proceedings, pages 15409–97

Measures Introduced: Eight bills and one resolution were introduced, as follows: S. 2651–2658, and S. Res. 405. **Page 15473**

Measures Reported:

S. 894, to require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center.

S. 976, to provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement.

S. 2610, to implement the United States-Australia Free Trade Agreement. **Page 15473**

Measures Passed:

Honoring Former President Gerald R. Ford's 91st Birthday: Senate agreed to S. Res. 405, honoring former President Gerald R. Ford on the occasion of his 91st birthday and extending the best wishes of the Senate to former President Ford and his family. **Pages 15483, 15495**

Retirement Plan Clarification: Committee on Finance was discharged from further consideration of S. 2589, to clarify the status of certain retirement plans and the orga-

nizations which maintain the plans, and the bill was then passed. Page 15496

Helping Hands for Homeownership Act: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 4363, to facilitate self-help housing homeownership opportunities, and the bill was then passed, clearing the measure for the President. Page 15496

Constitutional Amendment on Marriage: Senate continued consideration of the motion to proceed to consideration of S.J. Res. 40, proposing an amendment to the Constitution of the United States relating to marriage. Page 15415

During consideration of this measure today, Senate also took the following action:

By 48 yeas to 50 nays (Vote No. 155), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to proceed to consideration of S.J. Res. 40. Page 15445

American Jobs Creation Act—Agreement: A unanimous consent agreement was reached providing that on Thursday, July 15, immediately following morning business, the pending motion to proceed to consideration of S.J. Res. 40 (listed above), be withdrawn, and the Majority Leader or his designee be recognized in order to move to proceed to H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad; provided further, that the motion be agreed to and that Chairman Grassley then be immediately recognized in order to offer S. 1637, as passed by the Senate, as a substitute amendment; provided further, that Senator DeWine be recognized in order to offer a DeWine-Kennedy first degree amendment relating to the FDA and tobacco; further, that no other amendments be in order to the bill, and that there be 3 hours for debate equally divided on the amendment; further, that following the debate time, the Senate proceed to a vote in relation to the amendment at a time to be determined by the Majority Leader after consultation with the Democratic Leader, and that immediately following disposition of that amendment, the substitute amendment be agreed to, the bill then be read a third time, and the Senate proceed to a vote on passage of the bill; further, that the Senate then insist on its amendment, request a conference with the House thereon, and the Chair then be authorized to appoint conferees on the part of the Senate with a ratio of 12 to 11. Page 15460

Appointments:

Advisory Committee on Student Financial Assistance: The Chair, on behalf of the President pro tempore, pursuant to Public Law 99–498, appointed the following individual as a member of the Advisory Committee on Student Financial Assistance: Clare M. Cotton of Massachusetts. Page 15496

Messages From the House: Page 15472

Measures Referred: Page 15472

Measures Placed on Calendar: Page 15473

Measures Read First Time: Page 15473

Enrolled Bills Presented: Page 15473

Executive Communications: Page 15473

Additional Cosponsors: Page 15474

Statements on Introduced Bills/Resolutions: Page 15475

Additional Statements: Page 15468

Notices of Hearings/Meetings: Page 15494

Authority for Committees to Meet: Page 15494

Record Votes: One record vote was taken today. (Total—155) Page 15446

Adjournment: Senate convened at 9:30 a.m., and adjourned at 9:18 p.m., until 9:30 a.m., on Thursday, July 15, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 15496.)

Committee Meetings

AMERICAN HOME FIRE SAFETY ACT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine home products fire safety issues, including a related measure, S. 1798, to provide for comprehensive fire safety standards for upholstered furniture, mattresses, bedclothing, and candles, after receiving testimony from Hal Stratton, Chairman, U.S. Consumer Product Safety Commission; John Dean, Maine State Fire Marshal, Augusta, on behalf of the National Association of State Fire Marshals; Norman Chapman, Inman Mills, Inman, South Carolina; Andy S. Counts, American Furniture Manufacturers Association, High Point, North Carolina; Robert Higgins, Candle-Lite, Inc., Columbus, Ohio, on behalf of the National Candle Association; and Al Klancnik, Serta, Inc., Itasca, Illinois.

ADULT STEM CELL RESEARCH

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space concluded a hearing to examine adult stem cell research issues, focusing on ethical, medical, and political implications, therapeutic and human cloning, and neurodegenerative disorders, including Parkinson's Disease, after receiving testimony from Michel F. Levesque, University of California at Los Angeles School of Medicine; Jean D. Peduzzi-Nelson, University of Alabama at Birmingham Department of Physiological Optics; Irving Weissman,

Stanford University School of Medicine Department of Pathology, Stanford, California; Robert A. Goldstein, Juvenile Diabetes Research Foundation International, New York, New York; Laura Dominguez, San Antonio, Texas; Susan Fajt, Austin, Texas; and Dennis Turner, San Clemente, California.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following bills:

S. 203, to open certain withdrawn land in Big Horn County, Wyoming, to locatable mineral development for bentonite mining, with an amendment in the nature of a substitute;

S. 931, to direct the Secretary of the Interior to undertake a program to reduce the risks from and mitigate the effects of avalanches on visitors to units of the National Park System and on other recreational users of public land, with an amendment in the nature of a substitute;

S. 1211, to further the purposes of title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior to undertake a demonstration program for water reclamation in the Tularosa Basin of New Mexico, with an amendment in the nature of a substitute;

S. 2052, to amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail, with an amendment in the nature of a substitute;

H.R. 265, to expand the boundary of the Mount Rainier National Park;

S. 2167, to establish the Lewis and Clark National Historical Park in the States of Washington and Oregon, with an amendment;

S. 2173, to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000, with an amendment in the nature of a substitute;

S. 2285, to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah, with an amendment in the nature of a substitute;

S. 2287, to adjust the boundary of the Barataria Preserve Unit of Jean Lafitte National Historical Park and Preserve in the State of Louisiana, with an amendment;

S. 2460, to provide assistance to the State of New Mexico for the development of comprehensive State water plans, with an amendment in the nature of a substitute;

S. 2508, to redesignate the Ridges Basin Reservoir, Colorado, as Lake Nighthorse, with an amendment;

S. 2511, to direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico, with an amendment in the nature of a substitute;

S. 2543, to establish a program and criteria for National Heritage Areas in the United States, with an amendment in the nature of a substitute;

H.R. 1284, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to increase the Federal share of the costs of the San Gabriel Basin demonstration project, with an amendment.

H.R. 1616, to authorize the exchange of certain lands within the Martin Luther King, Junior, National Historic Site for lands owned by the City of Atlanta, Georgia; and

H.R. 3768, to expand the Timucuan Ecological and Historic Preserve, Florida.

FEDERAL LANDS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 2317, to limit the royalty on soda ash; S. 2353, to reauthorize and amend the National Geologic Mapping Act of 1992; H.R. 1189; to increase the waiver requirement for certain local matching requirements for grants provided to American Samoa, Guam, the Virgin Islands, or the Commonwealth of the Northern Mariana Islands; and H.R. 2010, to protect the voting rights of members of the Armed Services in elections for the Delegate representing American Samoa in the United States House of Representatives, after receiving testimony from David B. Cohen, Deputy Assistant Secretary for Insular Affairs, and P. Patrick Leahy, Associate Director for Geology, U.S. Geological Survey, both of the Department of the Interior; Robert G. Marvinney, Maine State Geologist, Augusta on behalf of the Association of American State Geologists; James C. Cobb, Kentucky State Geologist, and University of Kentucky, Lexington; Michael K. Burd, United Steelworkers Union Local 13214 FMC Wyoming Alkali Plant and Mine, Green River, Wyoming; John F. McDermid, American Natural Soda Ash Corporation, Washington, D.C.; and Marion Loomis, Wyoming Mining Association, Cheyenne.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported S. 2610, to implement the United States-Australia Free Trade Agreement.

Also, committee approved their recommendation for proposed legislation to implement the United States-Morocco Free Trade Agreement.

PAKISTAN

Committee on Foreign Relations: Committee concluded a hearing to examine balancing reform and counterterrorism in Pakistan, focusing on U.S.-Pakistan relations and assess the Pakistan government's efforts to combat terrorism and implement reform, after receiving testimony from Teresita C. Shaffer, Center for Strategic and International Studies, and Marvin G. Weinbaum, Middle East Institute, both of Washington, D.C.; and Vali R. Nasr, Naval Postgraduate School, Monterey, California.

BALKANS

Committee on Foreign Relations: Committee concluded a hearing to examine U.S. policy toward Southeast Europe, focusing on efforts by countries in the Balkans to normalize their military relations with the U.S. and NATO, and to ensure regional stability, after receiving testimony from D. Kathleen Stephens, Deputy Assistant Secretary of State for South Central Europe; Mira R. Ricardel, Acting Assistant Secretary of Defense for International Security Policy; James Dobbins, RAND International Security and Defense Policy Center, Arlington, Virginia; James C. O'Brien, The Albright Group LLC, Washington, D.C.; Ivan Vejvoda, Balkan Trust for Democracy, German Marshall Fund of the United States, Serbia and Montenegro; and Veton Surroi, KOHA Ditore, Pristina, Kosovo.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S.J. Res. 41, commemorating the opening of the National Museum of the American Indian, with an amendment in the nature of a substitute;

S. 1529, to amend the Indian Gaming Regulatory Act to include provisions relating to the payment and administration of gaming fees, with an amendment in the nature of a substitute;

S. 1530, to provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River, with amendments; and

H.R. 2912, to reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government.

AMERICAN INDIAN RELIGIOUS FREEDOM ACT

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the American Indian Religious Freedom Act of 1978 (P.L. 95–341), after receiving testimony from Brian Pogue, Director, Bureau of Indian Affairs, Department of the Interior; Joel Holtrop, Deputy Chief, State and Private Forestry, Forest Service, Department of Agriculture; Suzan Shown Harjo, The Morning Star Institute, Washington, D.C.; Walter Echo-Hawk, Native American Rights Fund, Boulder, Colorado; Bernard Red Cherries, Jr., Northern Cheyenne Elk Society and Sundance Arrow, Valley, Washington; and Paul Bender, Arizona State University College of Law, Tempe.

DRUG IMPORTATION

Committee on the Judiciary: Committee concluded a hearing to examine the implications of drug importation, focusing on the Prescription Drug Marketing Act of 1988, and on ways to make prescription drugs more affordable without jeopardizing patient safety or undermining incentives for the discovery of the next generation of therapies, and a related measure S. 2328, to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, after receiving testimony from Representative Sanders; Senators Nickles, Breaux, and Dorgan; William K. Hubbard, Associate Commissioner for Policy and Planning, and John Taylor, III, Associate Commissioner for Regulatory Affairs, both of the Food and Drug Administration, Department of Health and Human Services; Elizabeth G. Durant, Executive Director, Trade Compliance and Facilitation, Office of Field Operations at the Bureau of Customs and Border Protection, Department of Homeland Security; Rudolph W. Giuliani, Giuliani Partners LLC, New York, New York; Carmen A. Catizone, National Association of Boards of Pharmacy, Park Ridge, Illinois; Elizabeth A. Wennar, HealthInova, Manchester, Vermont, on behalf of United Health Alliance; Joanne Disch, AARP, Washington, D.C.; Stephen W. Schondelmeyer, University of Minnesota College of Pharmacy, Minneapolis; and Kathleen D. Jaeger, Generic Pharmaceutical Association, Arlington, Virginia.

FEDERAL ELECTION COMMISSION

Committee on Rules and Administration: Committee concluded an oversight hearing to examine the Federal Election Commission, focusing on their enforcement and disclosure process relative to campaign finance, after receiving testimony from Senators McCain and Feingold; Bradley A. Smith, Chairman, Ellen L. Weintraub, Vice Chair, both of the Federal Election Commission; and Trevor Pott, Caplin and Drysdale, Benjamin L. Ginsburg, Patton Boggs LLP, and Robert F. Bauer, Perkins Coie LLP, all of Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 7 public bills, H.R. 4829–4835, and; 5 resolutions, H. Con. Res. 472–473, and H. Res. 716–718 were introduced. **Page 15638**

Additional Cosponsors: **Page 15638**

Reports Filed: Reports were filed today as follows:

H.R. 4654, to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2007, (H. Rept. 108–603);

H. Res. 715, providing for consideration of the bill (H.R. 4818) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005 (H. Rept. 108–604);

H.R. 2715, to provide for necessary improvements to facilities at Yosemite National Park (H. Rept. 108–605); and

H.R. 2023, to give a preference regarding States that require schools to allow students to self-administer medi-

cation to treat that student's asthma or anaphylaxis, amended (H. Rept. 108–606, Pt. 1). **Page 15637**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Miller of Florida to act as Speaker Pro Tempore for today. **Page 15498**

Chaplain: The prayer was offered today by Rev. Danny Cochran, Pastor, Holly Creek Baptist Church in Chatsworth, Georgia. **Page 15498**

Suspensions: The House agreed to suspend the rules and pass the following measures:

SUTA Dumping Prevention Act of 2003: H.R. 3463, amended, to amend titles III and IV of the Social Security Act to improve the administration of unemployment taxes and benefits; **Page 15510**

Urging the President to resolve the disparate treatment of direct and indirect taxes presently provided by the World Trade Organization: H. Res. 705, urging the President to resolve the disparate treatment of direct and indirect taxes presently provided by the World Trade Organization, by a ⅔ yea and nay vote of 423 yeas to 1 nay, Roll No. 372; **Pages 15513, 15529**

Customs Border Security Act of 2004: H.R. 4418, amended, to authorize appropriations for fiscal years 2005 and 2006 for the Bureau of Customs and Border Protection and the Bureau of Immigration and Customs Enforcement of the Department of Homeland Security, for the Office of the United States Trade Representative, for the United States International Trade Commission, by a ⅔ recorded vote of 341 ayes to 85 noes, Roll No. 373; **Pages 15516, 15530**

Urging the Government of the People's Republic of China to improve its protection of intellectual property rights: H. Res. 576, amended, urging the Government of the People's Republic of China to improve its protection of intellectual property rights, by a ⅔ yea and nay vote of 416 yeas to 3 nays, Roll No. 374; **Pages 15524, 15531**

Commending the Government of Portugal and the Portuguese people for their support in the effort to combat terrorism: H. Res. 688, amended, commending the Government of Portugal and the Portuguese people for their long-standing friendship, stalwart leadership, and unwavering support of the United States in the effort to combat international terrorism; **Page 15608**

Jamestown 400th Anniversary Commemorative Coin Act of 2003: H.R. 1914, amended, to provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement; **Page 15620**

Marine Corps 230th Anniversary Commemorative Coin Act: H.R. 3277, amended, to require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center; **Page 15622**

John Marshall Commemorative Coin Act: H.R. 2768, amended, to require the Secretary of the Treasury to mint coins in commemoration of Chief Justice John Marshall; and **Page 15625**

Amending the District of Columbia College Access Act of 1999: H.R. 4012, amended, to amend the District of Columbia College Access Act of 1999 to permanently authorize the public school and private school tuition assistance programs established under the Act. **Page 15627**

Agreed to amend the title so as to read: to amend the District of Columbia College Access Act of 1999 to reauthorize for 5 additional years the public school and private school tuition assistance programs established under the Act. **Page 15628**

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further proceedings were postponed until Thursday, July 15.

Viet Nam Human Rights Act of 2004: H.R. 1587, amended, to promote freedom and democracy in Viet Nam; **Page 15585**

Concerning the importance of the distribution of food in schools to hungry or malnourished children around the world: S. Con. Res. 114, concerning the importance of the distribution of food in schools to hungry or malnourished children around the world; **Page 15596**

Reaffirming unwavering commitment to the Taiwan Relations Act: H. Con. Res. 462, reaffirming unwavering commitment to the Taiwan Relations Act; **Page 15601**

Expressing the sense of the House in support of full membership of Israel in the Western European and Others Group at the United Nations: H. Res. 615, amended, expressing the sense of the House of Representatives in support of full membership of Israel in the Western European and Others Group (WEOG) at the United Nations; **Page 15606**

Northern Uganda Crisis Response Act: S. 2264, to require a report on the conflict in Uganda; and **Page 15610**

Deploring the misuse of the International Court of Justice by a majority of the United Nations General Assembly: H. Res. 713, amended, deploring the misuse of the International Court of Justice by a majority of the United Nations General Assembly for a narrow political purpose, the willingness of the International Court of Justice to acquiesce in an effort likely to undermine its reputation and interfere with a resolution of the Palestinian-Israeli conflict. **Page 15612**

United States-Australia Free Trade Implementation Act: The House passed H.R. 4759, to implement the United States-Australia Free Trade Agreement, by a yea and nay vote of 314 yeas to 109 nays and 1 voting "present", Roll No. 375. **Page 15532**

H. Res. 712, the rule providing for consideration of the bill was agreed to by a yea and nay vote of 377 yeas to 89 nays, Roll No. 371. **Pages 15501, 15528**

Project BioShield Act of 2003: The House passed S. 15, to amend the Public Health Service Act to provide protections and countermeasures against chemical, radiological, or nuclear agents that may be used in a terrorist attack against the United States by giving the National Institutes of Health contracting flexibility, infrastructure improvements, and expediting the scientific peer review process, and streamlining the Food and Drug Administration approval process of countermeasures, by a yea and nay vote of 414 yeas to 2 nays, Roll No. 376—clearing the measure for the President. **Page 15564**

The bill was considered under a unanimous consent agreement that was reached on Tuesday, July 13.

Amendments: Amendments ordered printed pursuant to the rule appear on page 15639.

Quorum Calls—Votes: Five yea and nay votes and one recorded vote developed during the proceedings of today and appear on pages 15529–32, 15563, and 15584. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:27 p.m.

Committee Meetings

LABOR, HHS, EDUCATION AND RELATED AGENCIES AND THE DISTRICT OF COLUMBIA APPROPRIATIONS

Committee on Appropriations: Ordered reported the following appropriations for fiscal year 2005: Labor, Health and Human Services, Education and Related Agencies; and the District of Columbia.

VOCATIONAL AND TECHNICAL EDUCATION FOR THE FUTURE ACT

Committee on Education and the Workforce: Subcommittee on Education Reform approved for full Committee action, as amended, H.R. 4496, Vocational and Technical Education for the Future Act.

RADIO FREQUENCY IDENTIFICATION TECHNOLOGY FUTURE

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled "Radio Frequency Identification (REID) Technology: What the Future Holds for Commerce, Security, and the Consumer." Testimony was heard from public witnesses.

ISSUANCE OF SUBPOENAS—E-RATE PROGRAM INVESTIGATION

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations approved a motion authorizing the issuance of a subpoena ad testificandum to each of the following individuals: William Holman; Judy Green; George Marchelos; and Thomas J. Burger, in connection with its investigation of the E-Rate Program.

MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTORS AND CONSUMER CHOICE

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "Competition and Consumer Choice in the MVPD Marketplace—Including an Examination of Proposals to Expand Consumer Choice, Such as A La Carte and Themed-Tiered Offerings." Testimony was heard from public witnesses.

USDA'S EXPANDED CATTLE SURVEILLANCE PROGRAM

Committee on Government Reform and the Committee on Agriculture: held a joint hearing entitled "A Review of USDA's Expanded BSE Cattle Surveillance Program." Testimony was heard from the following officials of the USDA: Ann M. Veneman, Secretary; and Phyllis K. Fong, Inspector General; and public witnesses.

IMPROVING IG FUNCTIONALITY AND INDEPENDENCE

Committee on Government Reform: Subcommittee on Government Efficiency and Financial Management held a hearing entitled "Improving IG Functionality and Independence—A Review of Legislative Ideas." Testimony was heard from Gaston L. Gianni, Jr., Inspector General, FDIC; Barry R. Snyder, Inspector General, Federal Reserve Board, Federal Reserve System; and J. Russell George, Inspector General, Corporation for National and Community Service.

HEALTH INFORMATICS

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held a hearing entitled "Health Informatics: What is the Prescription for Success in Intergovernmental Information Sharing and Emergency Response?" Testimony was heard from Karen S. Evans, Administrator, E-Government and Information Technology, OMB; David A. Power, Director, Information Technology Management Issues, GAO; Claire V. Broome, M.D., Senior Advisor to the Director for Integrated Health Information Systems, Centers for Disease Control and Prevention, Department of Health and Human Services; former Speaker of the House of Representatives Newt Gingrich of Georgia; and public witnesses.

ISLAM IN ASIA

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on Islam in Asia. Testimony was heard from public witnesses.

MARRIAGE PROTECTION ACT

Committee on the Judiciary: Ordered reported, as amended, H.R. 3313, Marriage Protection Act of 2003.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following measures: H. Res. 431, Honoring the achievements of Siegfried and Roy, recognizing the impact of their efforts on the conservation of endangered species both domestically and worldwide, and wishing Roy Horn a full and speedy recovery; H.R. 1630, amended, Petrified Forest National Park Expansion Act of 2003; H.R. 2129, amended, Taunton, Massachusetts Special Resources Study Act; H.R. 2400, To amend the Organic Act of Guam for the purposes of clarifying the local judicial structure of Guam; H.R. 2457, amended, Castillo De San Marcos National Monument Preservation and Education Act; H.R. 2960, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Brownsville Public Utility Board water recycling and desalinization project; H.R. 3056, amended, To clarify the boundaries of the John H. Chafee Coast Barrier Resources System Cedar Keys Unit P25 on Otherwise Protected Area P25P; H.R. 3257, amended, Western Reserve Heritage Area Study Act; H.R. 3334, amended, Riverside-Corona Feeder Authorization Act; H.R. 3427, amended, Craig Recreation Land Purchase Act; H.R. 3479, amended, Brown Tree Snake Control and Eradication Act of 2003; H.R. 3589, amended, To create the Office of Chief Financial Officer of the Government of the Virgin Islands; H.R. 3597, amended, To authorize the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study on the Alder Creek water storage and conservation project in El Dorado County, California; H.R. 3954, amended, Rancho El Cajon Boundary Reconciliation Act; H.R. 4010, National Geologic Mapping Reauthorization Act of 2004; H.R. 4027, amended, To authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center; H.R. 4045, amended, To authorize the Secretary of the Interior to prepare a feasibility study with respect to the Mokelumne River; H.R. 4170, amended, Department of the Interior Volunteer Recruitment Act of 2004; H.R. 4459, Llagas Reclamation Groundwater Remediation Initiative; H.R. 4481, amended, Wilson's Creek National Battlefield Boundary Adjustment Act of 2004; H.R. 4492, amended, To amend the Omnibus Parks and Public Lands Management Act of 1966 to extend the authorization for certain national heritage areas; H.R. 4494, amended, Grey Towers National Historic Site Act of 2004; H.R. 4508, To amend the National Parks and Recreation Act of 1978 to require the Secretary to permit continued use and occupancy of certain privately owned cabins in the Mineral King Valley in the Sequoia National Park; H.R. 4606, amended, Southern California Groundwater Remediation Act; H.R. 4617, amended, To amend the Small Tracts Act to facilitate the exchange of small tracts of land; H.R. 4625, Soda Ash Royalty Reduction Act of 2004; S. 943, To authorize the Secretary of the Interior to enter into 1 or more contracts with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming; S. 1003, To clarify the intent of Congress with respect to the continued use of established commercial outfitter hunting camps on the Salmon River; S. 1537, To direct the Secretary of Agriculture to convey to the New Hope Cemetery Association certain land in the State of Arkansas for use as a cemetery; S. 1576, Harpers Ferry National Historical Park Boundary Revision Act of 2003; and S. 1721, American Indian Probate Reform Act of 2003.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS FISCAL YEAR 2005

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of general debate on H.R. 4818, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions.

TRADE FAIRNESS

Committee on Small Business: Held a hearing on Trade Fairness: How We Can Make Our Trade Laws Work for America's Small Businesses, including discussion of H.R. 3716, to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket countries. Testimony was heard from Representatives English and Davis of Alabama; and public witnesses.

OVERSIGHT—IN-LINE EXPLOSIVE DETECTION SYSTEMS

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on In-Line Explosive Detection Systems: Financing and Deployment. Testimony was heard from Randy Null, Acting As-

sistant Administrator, Aviation Operations, Transportation Security Administration, Department of Homeland Security; and public witnesses.

U.S.-MOROCCO FREE TRADE AGREEMENT IMPLEMENTATION ACT

Committee on Ways and Means: Approved the draft implementing proposal on the United States-Morocco Free Trade Agreement Implementation Act.

GLOBAL WAR ON TERRORISM—CRITICAL NEED FOR INTERROGATION

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on The Critical Need for Interrogation in the Global War on Terrorism. Testimony was heard from departmental witnesses.

Joint Meetings

COAST GUARD AND MARITIME TRANSPORTATION ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2443, to authorize appropriations for the Coast Guard for fiscal year 2004, and to amend various laws administered by the Coast Guard.

APPROPRIATIONS—DEPARTMENT OF DEFENSE

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 4613, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005.

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Thursday, July 15, 2004

Senate

Chamber Action

Routine Proceedings, pages 15653–15786

Measures Introduced: Nineteen bills and four resolutions were introduced, as follows: S. 2659–2677, S. Res. 406–407, and S. Con. Res. 125–126. **Page 15744**

Measures Reported:

S. 2436, to reauthorize the Native American Programs Act of 1974, with amendments. (S. Rept. No. 108–306)

S. 2666, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2005. (S. Rept. No. 108–307)

S. 2249, to amend the Stewart. B. McKinney Homeless Assistance Act to provide for emergency food and shelter. (S. Rept. No. 108–308)

S. 2674, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005. (S. Rept. No. 108–309)

S.J. Res. 37, to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian Tribes and offer an apology to all Native Peoples on behalf of the United States, with an amendment in the nature of a substitute and with an amended preamble. (S. Rept. No. 108–310) **Page 15744**

Measures Passed:

U.S.-Australia Free Trade Agreement: By 80 yeas to 16 nays (Vote No. 156), Senate passed H.R. 4759, to implement the United States-Australia Free Trade Agreement, after agreeing to the motion to proceed, clearing the measure for the President. **Page 15692**

American Jobs Creation Act: Senate passed H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad, after agreeing to the motion to proceed, and after taking action on the following amendments proposed thereto: **Pages 15663, 15732**

Adopted:

By 78 yeas to 15 nays, 1 responding present (Vote No. 157), DeWine/Kennedy Amendment No. 3563 (to Amendment No. 3562), to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to eliminate the Federal quota and price support programs for tobacco, and to provide assistance to quota holders, tobacco producers, and tobacco-dependent communities. **Page 15732**

McConnell (for Grassley/Baucus) Amendment No. 3562, in the nature of a substitute. **Page 15663**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Grassley, Hatch, Nickles, Lott, Snowe, Kyl, Thomas, Santorum, Smith, Bunning, McConnell, Gregg, Baucus, Rockefeller, Daschle, Breaux, Conrad, Graham (FL), Jeffords, Bingaman, Lincoln, Kennedy, and Harkin. **Page 15736**

E-Government Act Amendment: Committee on Governmental Affairs was discharged from further consideration of H.R. 1303, to amend the E-Government Act of 2002 with respect to rulemaking authority of the Judicial Conference, and the bill was then passed, clearing the measure for the President. **Page 15785**

Constitutional Amendment on Marriage: Pursuant to the order of July 14, 2004, the motion to proceed to consideration of S.J. Res. 40, proposing an amendment to

the Constitution of the United States relating to marriage, was withdrawn. Page 15663

Retirement Plans Status: A unanimous-consent agreement was reached providing that the Senate request the House of Representatives to return the papers with respect to S. 2589, to clarify the status of certain retirement plans and the organizations which maintain the plans. Page 15785

Appointment:

Migratory Bird Conservation Commission: The Chair, on behalf of the Vice President, pursuant to Public Law 70–770, appointed Senator Lincoln to the Migratory Bird Conservation Commission, vice Senator Breaux. Page 15785

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the legislation and supporting documents to implement the United States-Morocco Free Trade Agreement (FTA); which was referred to the Committee on Finance. (PM–91) Page 15742

Messages From the House: Page 15743

Measures Referred: Page 15743

Measures Placed on Calendar: Page 15743

Executive Communications: Page 15743

Additional Cosponsors: Page 15745

Statements on Introduced Bills/Resolutions: Page 15746

Additional Statements: Page 15741

Amendments Submitted: Page 15760

Authority for Committees to Meet: Page 15784

Privilege of the Floor: Page 15785

Record Votes: Two record votes were taken today. (Total—157) Pages 15731, 15733

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:49 p.m., until 10 a.m., on Friday, July 16, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 15786.)

Committee Meetings

HEALTHY LIFESTYLES

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies concluded a hearing to examine preventing chronic disease through healthy lifestyles, focusing on obesity, coronary heart disease, diabetes, and cancer, and diet and weight loss, after receiving testimony from Tommy Thompson, Secretary of Health and Human Services; Kenneth L. Gladish, YMCA of the USA, and Karen Silberman, National Coalition for Promoting Physical Activity, both of Washington, D.C.; Vernon E. Delpesce, YMCA of Greater Des Moines, Iowa; Eric K. Mann, Pittsburgh Metropolitan YMCA of the USA, Pittsburgh, Pennsylvania; Dean Ornish, University of California School of Medicine, San Francisco; and Jack Rule, incentaHEALTH, Denver, Colorado.

APPROPRIATIONS: MILITARY CONSTRUCTION AND LEGISLATIVE BRANCH

Committee on Appropriations: Committee ordered favorably reported the following bills:

An original bill (S. 2674) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005; and

An original bill (S. 2666) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2005.

ICRC REPORTS

Committee on Armed Services: Committee met in closed session to receive a briefing regarding International Committee of the Red Cross reports on U.S. military detainee operations in Iraq from official of the Department of Defense.

HEDGE FUND INDUSTRY

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine regulation of the hedge fund industry, focusing on a proposed regulation that would address violations of the federal securities laws, including fraudulent activity, by hedge funds, after receiving testimony from William H. Donaldson, Chairman, Securities and Exchange Commission; Patrick J. McCarty, General Counsel, Commodity Futures Trading Commission; Mark Anson, California Public Employees Retirement System, Sacramento; James Chanos, Kynikos Associates, LP, and Charles J. Gradante, Hennessee Group, LLC, both of New York, New York; and Adam C. Cooper, Citadel Investment Group, LLC, Chicago, Illinois, on behalf of the Managed Funds Association.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Stuart Levey, of Maryland, to be Under Secretary of the Treasury for Enforcement, Juan Carlos Zarate, of California, to be Assistant Secretary of the Treasury for Terrorist Financing and Financial Crimes, and Carin M. Barth, of Texas, to be Chief Financial Officer, Department of Housing and Urban Development, who was introduced by Senator Cornyn, after each nominee testified and answered questions in their own behalf.

TELEVISION RATING SYSTEM

Committee on Commerce, Science, and Transportation: Subcommittee on Communications concluded a hearing to examine implementation of the Nielsen local people

meter TV rating system, focusing on the accuracy and reliability of our country's television ratings system, after receiving testimony from Representative Waters; Thomas Herwitz, FOX Television Stations, Inc., Washington, D.C.; Tom Arnost, Univision Television Group, Los Angeles, California; and Susan D. Whiting, Nielsen Media Research; George Ivie, Media Rating Council, Inc.; and Robert Barocci, The Advertising Research Foundation, all of New York, New York.

LAND BILLS/MEMORIALS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 1852, to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin; S. 2142, to authorize appropriations for the New Jersey Coastal Heritage Trail Route; S. 2181, to adjust the boundary of Rocky Mountain National Park in the State of Colorado; S. 2374, to provide for the conveyance of certain land to the United States and to revise the boundary of Chickasaw National Recreation Area, Oklahoma; S. 2397 and H.R. 3706, bills to adjust the boundary of the John Muir National Historic Site; S. 2432, to expand the boundaries of Wilson's Creek Battlefield National Park; S. 2567, to adjust the boundary of Redwood National Park in the State of California; H.R. 1113, to authorize an exchange of land at Fort Frederica National Monument; and S. Con. Res. 121, supporting the goals and ideals of the World Year of Physics, after receiving testimony from Senator Lautenberg; former Senator Mack Mattingly; A. Durand Jones, Deputy Director, National Park Service, Department of the Interior; and Charles W. Blackwell, Chickasaw Nation, Washington, D.C.

NORTH KOREA

Committee on Foreign Relations: Committee concluded a hearing to examine current conditions in a report on the latest round of six-way talks regarding nuclear weapons in North Korea, focusing on events in Beijing and efforts of the United States and like-minded countries to deal with the threat of North Korea's nuclear ambitions, after receiving testimony from James A. Kelly, Assistant Secretary for East Asian and Pacific Affairs, and Joseph R. DeTrani, Special Envoy for Six-Party Talks, both of the Department of State; Ashton B. Carter, Harvard University John F. Kennedy School of Government, Cambridge, Massachusetts; and Charles L. Pritchard, The Brookings Institution, Washington, D.C.

U.S. ENERGY POLICY

Committee on Foreign Relations: Subcommittee on International Economic Policy, Export and Trade Promotion concluded a hearing to examine current conditions in the Gulf of Guinea and U.S. strategic energy policy, focusing on the role of West Africa and the Gulf of Guinea relative to United States energy security interests, imported oil and natural gas, and political and economic stability in Nigeria, Angola, Equatorial Guinea, Sao Tome, Chad, and Cameroon, after receiving testimony from Paul Simons, Deputy Assistant Secretary of State for Energy, Sanctions, and Commodity Policy, Economic and Business Affairs Bureau; John R. Brodman, Deputy Assistant Secretary of Energy for International Energy Policy, Office of Policy and International Affairs; and David L. Goldwyn, Goldwyn International Strategies, and J. Stephen Morrison, Center for Strategic and International Studies, both of Washington, D.C.

IRAQ

Committee on Foreign Relations: Committee met in closed session to receive a briefing on Iraq from Condoleezza Rice, National Security Advisor, National Security Council.

MONEY LAUNDERING

Committee on Governmental Affairs: Permanent Subcommittee on Investigations concluded a hearing to examine current enforcement of key provisions in the Patriot Act combating money laundering and foreign corruption, using a single case study involving Riggs Bank, focusing on Riggs' anti-money laundering program, administration of accounts associated with senior foreign political figures and their family members, and efforts to combat money-laundering in the United States financial system by the Office of the Comptroller of the Currency, and other financial institution regulators, after receiving testimony from Jennifer C. Kelly, Deputy Comptroller, Mid-Size and Credit Bank Supervision, John Noonan, former Assistant Deputy Comptroller, Daniel P. Stipano, Deputy Chief Counsel, and Lester Miller, Examiner-In-Charge (Riggs Bank), all of the Office of the Comptroller of the Currency, Department of the Treasury; Lawrence I. Hebert, Raymond M. Lund, and R. Ashley Lee, all of Riggs Bank, N.A., Washington, D.C.; Andrew P. Swiger, ExxonMobil Production Company, and Steven P. Guidry, Marathon Oil Company, both of Houston, Texas; and Albert J. Marchettti, Amerada Hess Corporation, New York, New York.

PELL GRANT FOR KIDS

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families concluded a hearing to examine the use of Pell Grants for primary school education, focusing on school choice and voucher programs, after receiving testimony from Michael Bell, Miami-Dade County Public Schools, Miami, Florida; Robert G. Smith, Arlington Public Schools, Arlington, Virginia, on behalf of the American Association of School Administrators, and the Virginia Association of School Superintendents; Catherine Hill, DC Parents for School Choice, Darlene T. Allen, District of Columbia PTA, on behalf of the National PTA, both of Washington, D.C.; Paul E. Peterson,

Harvard University Department of Government, Cambridge, Massachusetts; Ellen B. Goldring, Vanderbilt University, Nashville, Tennessee; Robert C. Enlow, Friedman Foundation, Indianapolis, Indiana; and John Kirtley, Alliance for School Choice, Tampa, Florida.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

MEDICAL LIABILITY

Special Committee on Aging: Committee concluded a hearing to examine medical liability in long-term care, focusing on demographic challenges, home health care, assisted living settings, hospice care, nursing homes, and "quality of life" issues, after receiving testimony from J. Norman Estes, NHS Management, Tuscaloosa, Alabama; Theresa Bourdon, Aon Risk Consultants, Columbia, Maryland; David G. Stevenson, Harvard University School of Medicine, Cambridge, Massachusetts; Marshall B. Kapp, Southern Illinois University School of Law, Carbondale; Lawrence M. Cutchin, North Carolina Medical Society, Raleigh; and James E. Lett II, American Medical Directors Association, Carmichael, California.

House of Representatives

Chamber Action

Measures Introduced: 13 public bills, H.R. 4836, 4838–4849; and 5 resolutions, H. Con. Res. 474, and H. Res. 719–722, were introduced. **Page 15902**

Additional Cosponsors: **Page 15903**

Reports Filed: Reports were filed today as follows:

H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005 (H. Rept. 108–607);

S. 741, to amend the Federal Food, Drug, and Cosmetic Act with regard to new animal drugs (H. Rept. 108–608); and

H.R. 3574, to require the mandatory expensing of stock options granted to executive officers, amended, referred sequentially to the House Committee on Energy and Commerce for a period ending not later than July 16, 2004 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(f), rule X (H. Rept. 108–609, Pt. 1). **Page 15902**

Chaplain: The prayer was offered today by Rev. Jean Burch, Senior Pastor, Community Baptist Church in Pasadena, California. **Page 15787**

Recess: The House recessed at 10:19 a.m. and reconvened at 10:45 a.m. **Page 15789**

Suspensions: The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, July 14:

Expressing the sense of the House in support of full membership of Israel in the Western European and Others Group at the United Nations: H. Res. 615, amended, expressing the sense of the House of Representatives in support of full membership of Israel in the Western European and Others Group (WEOG) at the United Nations, by a ⅔ yea and nay vote of 418 yeas with none voting "nay" and one voting "present", Roll No. 377; **Page 15793**

Agreed to amend the title so as to read: expressing the sense of the House of Representatives in support of full membership of Israel in the Western European and Others Group at the United Nations. **Page 15794**

Deploring the misuse of the International Court of Justice by a majority of the United Nations General Assembly: H. Res. 713, amended, deploring the misuse of the International Court of Justice by a majority of the United Nations General Assembly for a narrow political purpose, the willingness of the International Court of Justice to acquiesce in an effort likely to undermine its reputation and interfere with a resolution of the Palestinian-Israeli conflict, by a ⅔ yea and nay vote of 361 yeas to 45 nays and 13 "present", Roll No. 378; and **Page 15794**

Agreed to amend the title so as to read: deploring the misuse of the International Court of Justice by a plurality of the United Nations General Assembly for a narrow political purpose. **Page 15795**

Reaffirming unwavering commitment to the Taiwan Relations Act: H. Con. Res. 462, reaffirming unwavering commitment to the Taiwan Relations Act, by a ⅔ yea and nay vote of 400 yeas to 18 nays and 4 "present", Roll No. 379. **Page 15795**

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules which were debated on Wednesday, July 14. Further proceedings will occur on Monday, July 19. **Page 15892**

Viet Nam Human Rights Act of 2003: H.R. 1587, amended, to promote freedom and democracy in Viet Nam;

Concerning the importance of the distribution of food in schools to hungry or malnourished children around the world: S. Con. Res. 114, concerning the importance of the distribution of food in schools to hungry or malnourished children around the world; and

Northern Uganda Crisis Response Act: S. 2264, to require a report on the conflict in Uganda.

Foreign Operations, Export Financing, and Related Programs Appropriations Act for FY05: The House passed H.R. 4818, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, by a yea and nay vote of 365 yeas to 41 nays, Roll No. 390. **Pages 15796, 15889**

Agreed by unanimous consent to limit the number of and time limit for debate on amendments to the bill. **Page 15818**

Agreed to:

Garrett amendment that prohibits the use of funds to send or otherwise pay for the attendance of more than 50 federal employees at any single conference occurring outside the U.S.; **Page 15851**

Kilpatrick amendment (no. 12 printed in the Congressional Record of July 14) that prohibits the use of funds for any contract in contravention of the Small Business Act; **Page 15855**

Schiff amendment that prohibits the use of funds for the Government of Turkey in contravention of existing law with respect to the prevention and punishment of genocide; **Page 15884**

Buyer amendment that prohibits the use of funds by any official of the U.S. Government to request the United Nations to assess the validity of elections in the U.S. (by a recorded vote of 243 ayes to 161 noes, Roll No. 385); **Pages 15855, 15886**

Sanders amendment that prohibits the use of funds by the Export-Import Bank of the U.S. to approve comprehensive guarantee, political risk guarantee, or direct loan to any entity whose application shows that it or its corporate parent is incorporated or chartered in Bermuda, Barbados, the Cayman Islands, Antigua, or Panama (by a recorded vote of 270 ayes to 132 noes, Roll No. 386); **Pages 15868, 15886**

Nethercutt amendment (no. 6 printed in the Congressional Record of July 13) that limits Economic Support Fund assistance for certain foreign governments that are parties to the International Criminal Court (by a recorded vote of 241 ayes to 166 noes, Roll No. 387); and **Pages 15875, 15887**

Weiner amendment that prohibits the use of funds for assistance to Saudi Arabia (by a recorded vote of 217 ayes to 191 noes, Roll No. 389). **Pages 15880, 15889**

Rejected:

Sherman amendment (no. 20 printed in the Congressional Record of July 14) that sought to increase funding for the U.S. Agency for International Development-Child Survival and Health Programs Fund (by a recorded vote of 111 ayes to 312 noes, Roll No. 380) (agreed to limit the time for debate on the amendment); **Pages 15816, 15852**

Lantos amendment (no. 13 printed in the Congressional Record of July 14) that sought to increase funding in the Economic Support Fund for Egypt (by a recorded vote of 131 ayes to 287 noes, Roll No. 381); **Pages 15839, 15852**

Kennedy of Minnesota amendment (no. 11 printed in the Congressional Record of July 14) that sought to increase funding for the Millennium Challenge Corporation and the Global HIV/AIDS Initiative (by a recorded vote of 133 ayes to 288 noes, Roll No. 382); **Pages 15845, 15853**

Paul amendment (no. 17 printed in the Congressional Record of July 14) that sought to amend Title II of the bill by striking the item relating to Millennium Challenge Corporation (by a recorded vote of 41 ayes to 379 noes, Roll No. 383); and **Pages 15848, 15854**

Jackson-Lee of Texas amendment that sought to provide that some funds for agricultural development in sub-Saharan Africa be used for small-scale irrigation, crop and livestock diversification, and rural infrastructure (by a recorded vote of 164 ayes to 243 noes, Roll No. 388). **Pages 15877, 15888**

Withdrawn:

Blumenauer amendment (no. 8 printed in the Congressional Record of July 14) that was offered and subsequently withdrawn that sought to increase funding for the Global Environment Facility; **Page 15847**

Farr amendment (no. 9 printed in the Congressional Record of July 14) that was offered and subsequently withdrawn that sought to prohibit the use of funds to allow more than 550 U.S. military personnel to be stationed in Colombia, including temporary personnel; **Page 15860**

Otter amendment that was offered and subsequently withdrawn that sought to limit the assistance for the Palestinian Authority and the Palestinian people; and **Page 15867**

Deal amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to provide assistance to any country that does not permit extradition to the U.S., for trial or sentencing of individuals suspected of committing criminal offenses. **Page 15872**

Point of Order sustained against:

Section 565(a)(3) regarding United States agricultural commodities guaranteed under export credit guarantee programs; **Page 15833**

Lee amendment that would have provided that certain funds appropriated for the Global Fund to Fight AIDS, Tuberculosis and Malaria, be designated as an emergency requirement; and **Page 15833**

Lantos amendment (no. 14 printed in the Congressional Record of July 14) that would have increased funding in the Economic Support Fund for Egypt. **Page 15838**

H. Res. 715, the rule providing for consideration of the bill was agreed to by a voice vote. **Page 15789**

Tabling the Appeal of the ruling of the Chair: The House agreed to table the appeal of the ruling of the Chair on unparliamentary words uttered by a Member

during debate on an amendment to H.R. 4818, by a recorded vote of 219 ayes to 187 noes, Roll No. 384.

Page 15859

Requesting the Senate return to the House the Agriculture Appropriations Act: The House passed H. Res. 719, requesting the Senate return to the House of Representatives the bill H.R. 4766, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005. Page 15890

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12:30 p.m. on Monday, July 19 for morning hour debate. Page 15891

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, July 21.

Page 15891

Presidential Message: Read a message from the President wherein he transmitted legislation and supporting documents to implement the United States-Morocco Free Trade Agreement—referred to the Committee on Ways and Means and ordered printed (H. Doc. 108–201).

Page 15891

Senate Message: Message received from the Senate today appears on page 15787.

Senate Referral: S. 2589 was held at the desk.

Page 15787

Amendments: Amendments ordered printed pursuant to the rule appear on page 15904.

Quorum Calls—Votes: Four yea and nay votes and ten recorded votes developed during the proceedings of today and appear on pages 15793–96, 15852–54, 15859, and 15886–90. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12 midnight.

Committee Meetings

TRANSPORTATION, TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury and Independent Agencies approved for full Committee action the Transportation, Treasury and Independent Agencies appropriations for fiscal year 2005.

RESOLUTION OF INQUIRY—REQUESTING DOCUMENTS RELATING TO TREATMENT OF PRISONERS OR DETAINEES IN IRAQ, AFGHANISTAN, OR GUANTANAMO BAY

Committee on Armed Services: Ordered reported adversely H. Res. 689, Of inquiry requesting the President and directing certain other Federal officials to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the President and those officials relating to the treatment of prisoners or detainees in Iraq, Afghanistan, or Guantanamo Bay.

ARMY TRANSFORMATION

Committee on Armed Services: Held a hearing on Army Transformation: Implications for the Future. Testimony was heard from public witnesses.

Hearings continue July 21.

RECREATIONAL MARINE EMPLOYMENT ACT

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing on H.R. 1329, Recreational Marine Employment Act of 2003. Testimony was heard from public witnesses.

U.S. REFINING INDUSTRY STATUS

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "The Status of the U.S. Refining Industry." Testimony was heard from Guy F. Caruso, Administrator, Energy Information Administration, Department of Energy; Jeffrey R. Holmstead, Assistant Administrator, Air and Radiation, EPA; Jim Wells, Director, Natural Resources and Environment, GAO; William E. Kovacic, General Counsel, FTC; and public witnesses.

FINANCIAL SERVICES INDUSTRY

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled "Diversity in the Financial Services Industry and Access to Capital for Minority-Owned Businesses: Challenges and Opportunities." Testimony was heard from Lorenzo Padron, Commissioner, Office of Banks and Real Estate, State of Illinois; and public witnesses.

RESOLUTION—DIRECTING SECRETARY OF STATE TO TRANSMIT TO THE HOUSE DOCUMENTS RELATING TO TREATMENT OF PRISONERS

Committee on International Relations: Ordered reported adversely H. Res. 699, Directing the Secretary of State to transmit to the House of Representatives documents in the possession of the Secretary of State relating to the treatment of prisoners and detainees in Iraq, Afghanistan, and Guantanamo Bay.

TRANSATLANTIC RELATIONS

Committee on International Relations: Subcommittee on Europe held a hearing on Transatlantic Relations: A Post-Summit Assessment. Testimony was heard from public witnesses.

RADIO BROADCASTS—INTERNET STREAMING

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing entitled "Internet Streaming of Radio Broadcasts: Balancing the Interests of Sound Recording Copyright Owners with those of Broadcasters." Testimony was heard

from David Carson, General Counsel, Copyright Office, Library of Congress; and public witnesses.

ADVANCES IN TECHNOLOGY—DOMESTIC ENERGY AND MINERAL SECTOR

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing entitled "Advances in Technology: Innovations in the Domestic Energy and Mineral Sector." Testimony was heard from Timothy S. Collett, Research Geologist, U.S. Geological Survey, Department of the Interior; and public witnesses.

OVERSIGHT—RESTORING FORESTS AFTER CATASTROPHIC EVENTS

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on Restoring Forests after Catastrophic Events. Testimony was heard from the following officials of the Forest Service, USDA: Ann Bartuska, Deputy Chief, Research and Development; and Steve Eubanks, Forest Supervisor, Tahoe National Forest; Ed Shepard, Assistant Director, Renewable Resources and Planning, Bureau of Land Management, Department of the Interior; Steve Thomas, Assistant State Forester, Department of Forestry, State of Oregon; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held a hearing on the following bills: H.R. 4066, Chickasaw National Recreation Area Land Exchange Act of 2004; H.R. 4469, Angel Island Immigration Station Restoration and Preservation Act; and H.R. 4579, To modify the boundary of the Harry S. Truman National Historic Site in the State of Missouri. Testimony was heard from Representatives Cole, Woolsey and McCarthy of Missouri; Sue Masica, Associate Director, Park Planning, Facilities, and Lands, National Park Service, Department of the Interior; and public witnesses.

NOAA ORGANIC ACTS

Committee on Science: Subcommittee on Environment, Technology and Standards held a hearing on The National Oceanic and Atmospheric Administration Organic Acts. Testimony was heard from public witnesses.

NASA PRIZES

Committee on Science: Subcommittee on Space and Aeronautics held a hearing on NASA Prizes. Testimony was heard from RADM Craige E. Steidle, USN, (Ret.), Associate Administrator, Exploration Systems, NASA; Douglas Holtz-Eakin, Director, CBO; former Representative Robert Walker, State of Pennsylvania; and pubic witnesses.

EXCELLENCE IN ACTION—GOVERNMENT SUPPORT OF DISABLED VETERAN-OWNED BUSINESSES

Committee on Small Business: Subcommittee on Workforce, Empowerment, and Government Programs and the Subcommittee on Benefits of the Committee on Veterans' Affairs held a joint hearing entitled "Excellence in Action: Government Support of Disabled Veteran-Owned Businesses." Testimony was heard from Allegra McCullough, Associate Deputy Administrator, Government Contracting and Business Development, SBA; Frank Ramos, Director, Office of Small and Disadvantaged Business, Office of the Secretary, Department of Defense; Brad Scott, Regional Administrator, Region 6, Heartland Region, GSA; Scott Denniston, Director, Office of Small Business and Center for Veterans Enterprise, Department of Veterans Affairs; Nina Rose Hatfield, Deputy Assistant Secretary, Business Management and Wildland Fire, Department of the Interior; and public witnesses.

MISCELLANEOUS MEASURES; OVERSIGHT—COASTAL EROSION—LOUISIANA COASTAL AREA

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment approved for full Committee action the following bills: H.R. 784, amended, Water Quality Investment Act of 2003; H.R. 4470, to amend the Federal Water Pollution Act to extend the authorization of appropriations for the Lake Pontchartrain Basin Restoration Program; H.R. 4688, To amend the Federal Water Pollution Control Act to reauthorize the Chesapeake Bay Program; H.R. 4731, To amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program; and H.R. 4794, To amend the Tijuana River Valley Estuary and Beach Sewage Cleanup Act to extend the authorization of appropriations.

The Subcommittee also held an oversight hearing on Louisiana Coastal Area—Addressing Decades of Coastal Erosion. Testimony was heard from Representatives Tauzin, John and Vitter; BG Don T. Riley, USA, Director of Public Works, U.S. Army Corps of Engineers, Department of the Army; Scott A. Angelle, Secretary, Department of Natural Resources, State of Louisiana; and public witnesses.

SOCIAL SECURITY NUMBER PRIVACY AND IDENTITY THEFT PREVENTION ACT

Committee on Ways and Means: Subcommittee on Social Security approved for full Committee action, as amended, H.R. 2971, Social Security Number Privacy and Identity Theft Prevention Act of 2003.

TIP INCOME REPORTING—REVIEW IRS ENFORCEMENT

Committee on Ways and Means: Subcommittee on Oversight held a hearing to Review the IRS Enforcement of the Re-

porting of Tip Income. Testimony was heard from William F. Conlon, Director, Reporting Compliance, IRS, Department of the Treasury; and public witnesses.

BRIEFING—COUNTERINTELLIGENCE: PEOPLE'S REPUBLIC OF CHINA

Permanent Select Committee on Intelligence: Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to receive a briefing on Counterintelligence: People's Republic of China. The Subcommittee was briefed by departmental witnesses.

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Friday, July 16, 2004

Senate

Chamber Action

Routine Proceedings, pages 15923–16062

Measures Introduced: Five bills were introduced as follows: S. 2678–2682. **Page 15931**

Measures Reported: S.J. Res. 41, commemorating the opening of the National Museum of the American Indian, with an amendment in the nature of a substitute and with an amended preamble. **Page 15931**

Measures Passed:

Thrift Savings Plan Open Elections Act: Senate passed S. 2479, to amend chapter 84 of title 5, United States Code, to provide for Federal employees to make elections to make, modify, and terminate contributions to the Thrift Savings Fund at any time. **Page 16059**

Haiti Economic Recovery Opportunity Act: Committee on Finance was discharged from further consideration of S. 2261, to expand certain preferential trade treatment for Haiti, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 16060**

Frist (for DeWine/Graham (FL)) Amendment No. 3565, in the nature of a substitute. **Page 16060**

Nomination: Senate began consideration of the nomination of William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit, after agreeing to the motion to proceed. **Page 16058**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur at 2:15 p.m., on Tuesday, July 20, 2004. **Page 16058**

A unanimous-consent agreement was reached providing for further consideration of the nomination at 1 p.m., on Monday, July 19, 2004; and that the time until 5 p.m. be equally divided. **Page 16061**

Executive Reports of Committees: Senate received the following executive report of a committee:

Report to accompany the Convention on International Interests in Mobile Equipment and Protocol to Convention on International Interests in Mobile Equipment (Treaty Doc. 108–10) (Ex. Rept. 108–14). **Page 15931**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Protocol Amending Tax Convention with the Netherlands (Treaty Doc. 108–25);

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page 16059**

Measures Placed on Calendar: **Page 15930**

Measures Read First Time: **Page 15930**

Enrolled Bills Presented: **Page 15931**

Executive Reports of Committees: **Page 15931**

Additional Cosponsors: **Page 15931**

Statements on Introduced Bills/Resolutions: **Page 15932**

Amendments Submitted: **Page 15934**

Privilege of the Floor: **Page 15935**

Text of H.R. 4520, as Previously Passed: **Page 15935**

Adjournment: Senate convened at 10:01 a.m., and adjourned at 12:45 p.m., until 1 p.m., on Monday, July 19, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 16062.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 12:30 p.m. on Monday, July 19, for Morning Hour debate and 2 p.m. for legislative business.

Committee Meetings

No committee meetings were held.

Monday, July 19, 2004

Senate

Chamber Action

Routine Proceedings, pages 16081–16106

Measures Introduced: Six bills were introduced as follows: S. 2683–2688. Page 16099

Measures Passed:

Santiago E. Campos U.S. Courthouse: Senate passed S. 2385, to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the "Santiago E. Campos United States Courthouse". Page 16103

James V. Hansen Federal Building: Senate passed S. 2398, to designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the "James V. Hansen Federal Building". Page 16103

Winston E. Arnow U.S. Courthouse: Senate passed H.R. 1572, to designate the historic Federal District Court Building located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow Federal Building", clearing the measure for the President. Page 16103

Sergeant First Class Paul Ray Smith Post Office Building: Committee on Governmental Affairs was discharged from further consideration of H.R. 4380, to designate the facility of the United States Postal Service located at 4737 Mile Stretch Drive in Holiday, Florida, as the "Sergeant First Class Paul Ray Smith Post Office Building", and the bill was then passed, clearing the measure for the President. Page 16104

Salt River Pima-Maricopa Indian Reservation Contract: Committee on Indian Affairs was discharged from further consideration of S. 2277, to amend the Act of November 2, 1966 (80 Stat. 1112), to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation, and the bill was then passed. Page 16104

Nomination: Senate resumed consideration of the nomination of William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit. Page 16081

A unanimous-consent agreement was reached providing for further consideration of the nomination at approximately 11 a.m., on Tuesday, July 20, 2004, and that the time until 12:30 p.m., be equally divided between the Chairman and Ranking Member of the Committee on the Judiciary. Page 16104

Nominations Received: Senate received the following nominations:

Michael D. Gallagher, of Washington, to be Assistant Secretary of Commerce for Communications and Information.

Theodore Williams Kassinger, of Maryland, to be Deputy Secretary of Commerce.

Floyd Hall, of New Jersey, to be a Member of the Reform Board (Amtrak) for a term of five years.

Jack Edwin McGregor, of Connecticut, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

Brigadier General Don T. Riley, United States Army, to be a Member and President of the Mississippi River Commission, under the provisions of Section 2 of an Act of Congress, approved June 1879 (21 Stat. 37) (33 U.S.C. 642).

B. Lynn Pascoe, of Virginia, to be Ambassador to the Republic of Indonesia.

Daniel R. Levinson, of Maryland, to be Inspector General, Department of Health and Human Services.

Routine lists in the Foreign Service, Public Health Service. Page 16105

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Albert Casey, of Texas, to be a Governor of the United States Postal Service for a term expiring December 8, 2009, which was sent to the Senate on January 21, 2004. Page 16106

Messages From the House: Page 16097

Measures Referred: Page 16097

Measures Placed on Calendar: Pages 16097, 16103

Executive Communications: Page 16098

Additional Cosponsors: Page 16099

Statements on Introduced Bills/Resolutions: Page 16101

Additional Statements: Page 16095

Authority for Committees to Meet: Page 16103

Privilege of the Floor: Page 16103

Adjournment: Senate convened at 1 p.m., and adjourned at 6:03 p.m., until 10 a.m., on Tuesday, July 20, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 16104.)

Committee Meetings

NOMINATIONS

Committee on Governmental Affairs: Committee concluded a hearing to examine the nominations of Neil McPhie, of Virginia, to be Chairman, and Barbara J. Sapin, of Maryland, to be a Member, both of the Merit Systems Protection Board, after the nominees testified and answered questions in their own behalf.

MEDICARE DRUG BENEFIT

Special Committee on Aging: Committee concluded a hearing to examine certain aspects of the new Medicare law aimed at assisting seniors of modest and low incomes, including principally the full drug benefit scheduled for 2006, and the ongoing prescription drug card transitional assistance, after receiving testimony from Mark McClellan, Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Gail R. Wilensky, Project HOPE, Bethesda, Maryland, former Administrator, Health Care Financing Administration, Department of Health and Human Services; and Thomas Byron Thames, AARP, Jane L. Delgado, National Alliance for Hispanic Health, and Patricia B. Nemore, Center for Medicare Advocacy, Inc., all of Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 4851–4861; 1 private bill, H.R. 4862; and 3 resolutions, H. Res. 723, 726–727, were introduced. **Page 16180**

Additional Cosponsors: **Page 16182**

Reports Filed: Reports were filed today as follows:

H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005 (H. Rept. 108–610);

H.R. 4492, to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, amended (H. Rept. 108–611);

H.R. 4625, to reduce temporarily the royalty required to be paid for sodium produced on Federal lands (H. Rept. 108–612);

H.R. 4170, to authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of the Interior, amended (H. Rept. 108–613);

H.R. 3313, to amend title 28, United States Code, to limit Federal court jurisdiction over questions under the Defense of Marriage Act, amended (H. Rept. 108–614);

H. Res. 724, providing for consideration of H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005 (H. Rept. 108–615); and

H. Res. 725, providing for consideration of H.R. 3574, to require the mandatory expensing of stock options granted to executive officers (H. Rept. 108–616). **Page 16180**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Nunes to act as Speaker Pro Tempore for today. **Page 16107**

Recess: The House recessed at 12:56 p.m. and reconvened at 2 p.m. **Page 16116**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Vietnam Human Rights Act of 2003: Debated on Wednesday, July 14: H.R. 1587, amended, to promote freedom and democracy in Vietnam, by a ⅔ yea-and-nay vote of 323 yeas to 45 nays, Roll No. 391; **Page 16144**

Agreed to amend the title so as to read: a bill to promote freedom and democracy in Vietnam. **Page 16145**

Concerning the importance of the distribution of food in schools to hungry or malnourished children around the world: Debated on Wednesday, July 14: S. Con. Res. 114, concerning the importance of the distribution of food in schools to hungry or malnourished children around the world, by a ⅔ yea-and-nay vote of 367 yeas to 4 nays, Roll No. 392; **Page 16145**

Northern Uganda Crisis Response Act: Debated on Wednesday, July 14: S. 2264, to require a report on the conflict in Uganda, by a ⅔ yea-and-nay vote of 371 yeas to 1 nay, Roll No. 393—clearing the measure for the President; **Page 16146**

Amending the Act of 11/2/66 with respect to lands within the Salt River Pima-Maricopa Indian Reservation: H.R. 4115, to amend the Act of 11/2/66, to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation; **Page 16117**

Amending the Omnibus Parks and Public Lands Management Act of 1996: H.R. 4492, amended, to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas; **Page 16118**

Conveying certain Federal lands in Riverside County, California: H.R. 3874, amended, to convey for public purposes certain Federal lands in Riverside County, California, that have been identified for disposal; **Page 16124**

Amending the Reclamation Wastewater and Groundwater Study and Facilities Act with regard to Orange County, California's regional water reclamation project: H.R. 1156, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to increase the ceiling on the Federal share of the costs of phase 1 of the Orange County, CA, Regional Water Reclamation Project; **Page 16125**

Newlands Project Headquarters and Maintenance Yard Facility Transfer Act: H.R. 2831, amended, to au-

thorize the Secretary of the Interior to convey the Newlands Project Headquarters and Maintenance Yard Facility to the Truckee-Carson Irrigation District; Page 16126

Gateway Communities Cooperation Act: H.R. 1014, amended, to require Federal land managers to support, and to communicate, coordinate, and cooperate with, designated gateway communities, to improve the ability of gateway communities to participate in Federal land management planning conducted by the Forest Service and agencies of the Department of the Interior, and to respond to the impacts of the public use of the Federal lands administered by these agencies; Page 16127

Kilauea Point National Wildlife Refuge Expansion Act of 2003: H.R. 2619, amended, to provide for the expansion of Kilauea Point National Wildlife Refuge; Page 16129

Inland Empire Regional Water Recycling Initiative: H.R. 2991, amended, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Inland Empire regional recycling project and in the Cucamonga County Water District recycling project; Page 16130

Authorizing the exchange of certain lands in Everglades National Park: H.R. 3785, amended, to authorize the exchange of certain lands in Everglades National Park; Page 16132

Lewis and Clark National Historical Park Designation Act of 2004: H.R. 3819, amended, to redesignate Fort Clatsop National Memorial as the Lewis and Clark National Historical Park, to include in the park sites in the State of Washington as well as the State of Oregon; Page 16133

Amending the Reclamation Wastewater and Groundwater Study and Facilities Act with regard to the Inland Empire regional water recycling project: H.R. 142, amended, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Inland Empire regional water recycling project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, and to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project; Page 16135

Agreed to amend the title so as to read: to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, and to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project. Page 16137

Allowing the continued use of certain lands within Sequoia National Park by an existing hydroelectric project: H.R. 3932, amended, to amend Public Law 99–338 to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project; Page 16137

Agreed to amend the title so as to read: to amend Public Law 99–338 to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project, and for other purposes. Page 16137

Providing for the conveyance to the Government of Mexico of a decommissioned NOAA ship: H.R. 4158, to provide for the conveyance to the Government of Mexico of a decommissioned National Oceanic and Atmospheric Administration ship; Page 16138

Department of the Interior Volunteer Recruitment Act of 2004: H.R. 4170, amended, to authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of the Interior; Page 16138

Soda Ash Royalty Reduction Act of 2004: H.R. 4625, to reduce temporarily the royalty required to be paid for sodium produced on Federal lands; and Page 16140

Honoring Sandra Feldman on the occasion of her retirement from the presidency of the American Federation of Teachers: H. Res. 714, honoring Sandra Feldman on the occasion of her retirement from the presidency of the American Federation of Teachers for her tireless efforts to improve the quality of teaching and learning. Page 16141

Recess: The House recessed at 3:40 p.m. and reconvened at 6:30 p.m. Page 16144

Discharge Petition: Representative Bishop moved to discharge the Committee on Rules from the consideration of H. Res. 708, providing for consideration of H.R. 3004, to improve the reliability of the Nation's electric transmission system (Discharge Petition No. 10).

Tax Relief, Simplification, and Equity Act of 2003—Motion to Instruct Conferees: Representative Stenholm announced his intention to offer a motion to instruct conferees on H.R. 1308, to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit. Page 16147

Senate Message: Message received from the Senate today appears on page 16116.

Senate Referral: S. 2479 was referred to the Committee on Government Reform and S. 2261 was held at the desk. Page 16116

Amendments: Amendments ordered printed pursuant to the rule appear on page 16182.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages 16144–46. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:58 p.m.

Committee Meetings

DISTRICT OF COLUMBIA APPROPRIATIONS FISCAL YEAR 2005

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of general debate on H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House, the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representative Cunningham.

STOCK OPTION ACCOUNTING REFORM ACT

Committee on Rules: Granted, by voice vote, a structured rule providing 1 hour of general debate on H.R. 3574, Stock Option Accounting Reform Act, equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment, and shall be considered as read. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Royce, Frank of Massachusetts, Kanjorski, Maloney, and Eshoo.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Rules: Testimony was heard from Representatives Knollenberg and Farr, but action was deferred on H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005.

DEPARTMENT OF HOMELAND SECURITY AUTHORIZATION ACT FOR FISCAL YEAR 2005

Select Committee on Homeland Security: Met on the Department of Homeland Security Authorization Act for Fiscal Year 2005.

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Tuesday, July 20, 2004

Senate

Chamber Action

Routine Proceedings, pages 16197–16259

Measures Introduced: Twelve bills and seven resolutions were introduced, as follows: S. 2689–2700, S. Res. 408–412, and S. Con. Res. 127–128. **Page 16239**

Measures Reported:

S. 1996, to enhance and provide to the Oglada Sioux Tribe and Angostura Irrigation Project certain benefits of the Pick-Sloan Missouri River basin program, with an amendment in the nature of a substitute. (S. Rept. No. 108–311)

H.R. 982, to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa.

S. Res. 401, designating the week of November 7 through November 13, 2004, as "National Veterans Awareness Week" to emphasize the need to develop educational programs regarding the contributions of veterans to the country.

S. Res. 404, designating August 9, 2004, as "Smokey Bear's 60th Anniversary".

S. Res. 407, designating October 15, 2004, as "National Mammography Day".

S. 2677, to implement the United States-Morocco Free Trade Agreement.

S.J. Res. 4, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. Con. Res. 109, commending the United States Institute of Peace on the occasion of its 20th anniversary and

recognizing the Institute for its contribution to international conflict resolution. Page 16238

Measures Passed:

Jamestown 400th Anniversary Commemorative Coin Act: Senate passed H.R. 1914, to provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement, clearing the measure for the President. Page 13256

Marine Corps 230th Anniversary Commemorative Coin Act: Senate passed H.R. 3277, to require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center, clearing the measure for the President. Page 13256

John Marshall Commemorative Coin Act: Senate passed H.R. 2768, to require the Secretary of the Treasury to mint coins in commemoration of Chief Justice John Marshall, clearing the measure for the President. Page 13256

Authorizing Legal Representation: Senate agreed to S. Res. 410, to authorize Senate employees to testify and produce documents with legal representation. Page 13257

Authorizing Document Production: Senate agreed to S. Res. 411, to authorize document production by the Select Committee on Intelligence. Page 13257

Small Business Program Extension: Senate passed S. 2700, to provide an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through September 17, 2004. Page 16258

U.S.-Morocco Free Trade Agreement Implementation Act: Senate began consideration of S. 2677, a bill to implement the United States-Morocco Free Trade Agreement. Page 16225

A unanimous-consent agreement was reached providing for further consideration of the bill at 11 a.m., on Wednesday, July 21, 2004; that the time until 11:30 a.m. be equally divided between the Chairman and Ranking Member of the Committee on Finance, and that at 11:30 a.m. the Senate vote on passage of the bill; provided further, that when the Senate receives the companion measure from the House, the Senate proceed to its consideration, the bill be read a third time and passed with no intervening action or debate; and that once the Senate has passed the House companion measure, passage of S. 2677 be vitiated, and the bill then be returned to the calendar. Page 16232

Department of Agriculture Appropriations Act—Agreement: A unanimous-consent agreement was reached providing that the Committee on Appropriations be discharged from further consideration of H.R. 4766, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005, and that the papers be returned to the House of Representatives. Page 16258

Nomination: Senate continued consideration of the nomination of William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit. Page 16205

During consideration of this nomination today, the Senate also took the following action:

By 53 yeas to 44 nays (Vote No. 158), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, the Senate rejected the motion to close further debate on the nomination. Page 16224

Nomination: Senate began consideration of the nomination of Henry W. Saad, of Michigan, to be United States Circuit Judge for the Sixth Circuit, after agreeing to the motion to proceed to executive session. Page 16233

A motion was entered to close further debate on the nomination and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, July 22, 2004. Page 16259

Appointments:

Congressional Award Board: The Chair, on behalf of the Majority Leader, pursuant to Public Law 96–114, as amended, appointed the following individuals to the Congressional Award Board: Kathy Didawick of Virginia and Michael Carozza of Maryland. Page 16257

Nominations Discharged: The following nominations were discharged from further committee consideration and placed on the Executive Calendar:

Juan Carlos Zarate, of California, to be an Assistant Secretary of the Treasury, which was sent to the Senate on March 11, 2004, from the Senate Committee on Finance.

Stuart Levey, of Maryland, to be Under Secretary of the Treasury for Enforcement, which was sent to the Senate on April 8, 2004, from the Senate Committee on Finance. Page 16259

Messages From the House: Page 16237

Measures Referred: Page 16238

Measures Placed on Calendar: Page 16238

Measures Read First Time: Pages 16238, 16256

Enrolled Bills Presented: Page 16238

Executive Reports of Committees: Page 16239

Additional Cosponsors: Page 16239

Statements on Introduced Bills/Resolutions: Page 16241

Additional Statements: Page 16236

Amendments Submitted: Page 16253

Authority for Committees to Meet: Page 16255

Privilege of the Floor: Page 16256

Record Votes: One record vote was taken today. (Total—158) Page 16224

Adjournment: Senate convened at 10 a.m., and adjourned at 7:41 p.m., until 9:30 a.m., on Wednesday, July 21, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 16259.)

Committee Meetings

IRAQ SURVEY GROUP

Committee on Armed Services: Committee met in closed session to receive a briefing regarding the activities of the Iraq Survey Group (ISG) in Iraq from Major General Keith W. Dayton, USA, former Commander of the ISG.

COMMITTEE MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Juan Carlos Zarate, of California, to be an Assistant Secretary of the Treasury, Stuart Levey, of Maryland, to be Under Secretary of the Treasury for Enforcement, and Carin M. Barth, of Texas, to be Chief Financial Officer, Department of Housing and Urban Development.

MONETARY POLICY REPORT

Committee on Banking, Housing, and Urban Affairs: Committee concluded an oversight hearing to examine the Semi-Annual Monetary Policy Report of the Federal Reserve, after receiving testimony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System.

AMERICANS OUTDOORS ACT

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 2590, to provide a conservation royalty from Outer Continental Shelf revenues to establish the Coastal Impact Assistance Program, to provide assistance to States under the Land and Water Conservation Fund Act of 1965, to ensure adequate funding for conserving and restoring wildlife, to assist local governments in improving local park and recreation systems, after receiving testimony from P. Lynn Scarlett, Assistant Secretary of the Interior for Policy, Management, and Budget; Scott A. Angelle, Louisiana Department of Natural Resources, Baton Rouge; Charles Jordan, Conservation Fund, Portland, Oregon; and John Baughman, International Association of Fish and Wildlife Agencies, Henry L. Diamond, Americans for Our Heritage and Recreation, Nancie G. Marzulla, Defenders of Property Rights, and Daniel M. Clifton, Americans for Tax Reform, all of Washington, D.C.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following business items:

S. 2677, to implement the United States-Morocco Free Trade Agreement;

H.R. 982, to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa; and

The nominations of Patrick P. O'Carroll, Jr., of Maryland, to be Inspector General, Social Security Administration, and Paul Jones, of Colorado, and Charles L. Kolbe, of Iowa, both to be Members of the Internal Revenue Service Oversight Board, and Timothy S. Bitsberger, of Massachusetts, to be an Assistant Secretary, all of the Department of the Treasury.

MIDDLE EAST ROAD MAP TO PEACE

Committee on Foreign Relations: Committee concluded a hearing to examine detours and disengagements regarding the Israeli-Palestinian peace process, focusing on worldwide terrorist recruitment efforts, the economic impact of the infitada, Israel's plan for unilateral withdrawal from the Gaza Strip, after receiving testimony from David M. Satterfield, Principal Deputy Assistant Secretary of State for Near Eastern Affairs; and Dennis Ross, Washington Institute for Near East Policy, Abdel Monem Said Aly, Brookings Institution, and Aaron David Miller, Seeds of Peace, all of Washington, D.C.

FEDERAL WORKFORCE

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia concluded a hearing to examine governmentwide workforce flexibilities available to federal agencies, focusing on those enacted in the Homeland Security Act, specifically their implementation, use by agencies, and training and education related to using the new flexibilities, after receiving testimony from Clay Johnson III, Deputy Director for Management, Office of Management and Budget; Dan G. Blair, Deputy Director, Office of Personnel Management; J. Christopher Mihm, Managing Director, Strategic Issues, Government Accountability Office; Ed Sontag, Assistant Secretary of Health and Human Services for Administration and Management; Joanne W. Simms, Deputy Assistant Attorney General for Human Resources and Administration, and Chief Human Capital Officer, Department of Justice; and Vicki A. Novak, Assistant Administrator for Human Resources, and Chief Human Capital Officer, National Aeronautics and Space Administration.

SUBSTANCE ABUSE PROGRAMS

Committee on Health, Education, Labor, and Pensions: Subcommittee on Substance Abuse and Mental Health Services concluded a hearing to examine performance and outcome measurement in substance abuse and mental health programs, focusing on the mission of the Substance Abuse and Mental Health Services Administration to build resilience and facilitate recovery, after receiving testimony from Charles G. Curie, Administrator, Substance

Abuse and Mental Health Services Administration, Department of Health and Human Services; A. Thomas McLellan, Treatment Research Institute, Philadelphia, Pennsylvania; Howard H. Goldman, University of Maryland School of Medicine, Baltimore; Gary Q. Tester, Ohio Department of Alcohol and Drug Addiction Services, Columbus; and Marsha Medalie, Riverside Community Care, Dedham, Massachusetts.

NEZ PERCE-SNAKE RIVER WATER RIGHTS ACT

Committee on Indian Affairs: Committee concluded a hearing to examine S. 2605, to direct the Secretary of the Interior and the heads of other Federal agencies to carry out an agreement resolving major issues relating to the adjudication of water rights in the Snake River Basin, Idaho, after receiving testimony from Senator Craig; Michael D. Olsen, Counselor to the Assistant Secretary of the Interior for Indian Affairs; Anthony D. Johnson, Nez Perce Tribal Executive Committee, Lapwai, Idaho; Michael Bogert, Office of Idaho Governor Kempthorne, Boise; Roger D. Ling, Ling, Robinson, and Walker, Rupert, Idaho, on behalf of the Federal Claims Coalition Upper Snake River Water Users; and James S. Riley, Intermountain Forest Association, Coeur d'Alene, Idaho.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S.J. Res. 4, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States;

S. Res. 401, designating the week of November 7 through November 13, 2004, as "National Veterans Awareness Week" to emphasize the need to develop educational programs regarding the contributions of veterans to the country;

S. Con. Res. 109, commending the United States Institute of Peace on the occasion of its 20th anniversary and recognizing the Institute for its contribution to international conflict resolution;

S. Res. 404, designating August 9, 2004, as "Smokey Bear's 60th Anniversary";

S. Res. 407, designating October 15, 2004, as "National Mammography Day"; and

The nominations of David W. McKeague, of Michigan, to be United States Circuit Judge for the Sixth Circuit, Richard A. Griffin, of Michigan, to be United States Circuit Judge for the Sixth Circuit, Virginia Maria Hernandez Covington, to be United States District Judge for the Middle District of Florida, Michael H. Schneider, Sr., of Texas, to be United States District Judge for the Eastern District of Texas, and Robert Clark Corrente, of Rhode Island, to be United States Attorney for the District of Rhode Island.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the following business items:

S. 1153, to amend title 38, United States Code, to permit medicare-eligible veterans to receive an out-patient medication benefit, to provide that certain veterans who receive such benefit are not otherwise eligible for medical care and services from the Department of Veterans Affairs;

S. 2483, to increase, effective as of December 1, 2004, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans;

S. 2484, to amend title 38, United States Code, to simplify and improve pay provisions for physicians and dentists, to authorize alternate work schedules and executive pay for nurses, with amendments;

S. 2485, to amend title 38, United States Code, to improve and enhance the authorities of the Secretary of Veterans Affairs relating to the management and disposal of real property and facilities, with amendments; and

S. 2486, to amend title 38, United States Code, to improve and enhance education, housing, employment, medical, and other benefits for veterans and to improve and extend certain authorities relating to the administration or benefits for veterans, with amendments.

INTELLIGENCE REFORM

Select Committee on Intelligence: Committee concluded a hearing to examine reform and reorganization of the intelligence community of the United States, focusing on the report of the 9/11 Commission, and prospective legislation to create a Director of National Intelligence, after receiving testimony from Senator Feinstein; and Lieutenant General William E. Odom, USA (Ret.), Hudson Institute, John J. Hamre, Center for Strategic and International Studies, and James R. Woolsey, Booz Allen Hamilton, all of Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 15 public bills, H.R. 4863–4877; 1 private bill, H.R. 4878; and 7 resolutions, H. Con. Res. 475, and H. Res. 728–733, were introduced.

Page 16723

Additional Cosponsors: Page 16724

Reports Filed: Reports were filed today as follows:

Conference report on H.R. 2443, to authorize appropriations for the Coast Guard for fiscal year 2004, to

amend various laws administered by the Coast Guard (H. Rept. 108–617);

H. Res. 730, waiving points of order against the conference report to accompany H.R. 2443, to authorize appropriations for the Coast Guard for fiscal year 2004, to amend various laws administered by the Coast Guard (H. Rept. 108–618);

H.R. 2929, to protect users of the Internet from unknowing transmission of their personally identifiable information through spyware programs, amended (H. Rept. 108–619);

H. Res. 731, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–620);

H. Res. 732, providing for consideration of H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005 (H. Rept. 108–621); and

Conference report on H.R. 4613, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005 (H. Rept. 108–622).

Pages 16298, 16403, 16722

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Bishop of Utah to act as Speaker pro tempore for today. **Page 16260**

Recess: The House recessed at 9:30 a.m. and reconvened at 10 a.m. **Page 16263**

Stock Option Accounting Reform Act: The House passed H.R. 3574, to require the mandatory expensing of stock options granted to executive officers, by a yea-and-nay vote of 312 yeas to 111 nays, Roll No. 397. **Page 16276**

Agreed to the amendment in the nature of a substitute recommended by the Committee on Financial Services that was considered as an original bill for the purpose of amendment. **Page 16297**

Agreed to:

Oxley amendment (printed in H. Rept. 108–616) that clarifies the original intent of the bill to ensure that any company that wishes to voluntarily expense stock options in certain filings required under the securities laws may do so. **Page 16288**

Rejected:

Sherman amendment (printed in H. Rept. 108–616) that sought to eliminate the requirement in the bill that an assumption of zero volatility be used when calculating the value of stock option expense for the top-five executives (by a recorded vote of 126 ayes to 296 noes, Roll No. 394); **Pages 16288, 16295**

Maloney amendment (printed in H. Rept 108–616) that sought to preserve the authority of the Securities and Exchange Commission to establish accounting principles or standards on its own initiative as the SEC deems necessary in the public interest or for the protection of investors (by a recorded vote of 114 ayes to 308 noes, Roll No. 395); and **Pages 16290, 16296**

Kanjorski amendment (printed in H. Rept. 108–616) in the nature of a substitute (by a recorded vote of 127 ayes to 293 noes, Roll No. 396). **Pages 16292, 16296**

Agreed that the Clerk be authorized to make technical and conforming changes as may be necessary to reflect the actions of the House. **Page 16298**

H. Res. 725, the rule providing for consideration of the bill was agreed to by a voice vote. **Page 16266**

District of Columbia Appropriations Act for FY05: The House passed H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, by a yea-and-nay vote of 371 yeas to 54 nays, Roll No. 399. **Page 16325**

Rejected:

Hefley amendment (No. 2 printed in the Congressional Record of July 19) that reduces total appropriations in the Act by 1 percent (by a recorded vote of 113 ayes to 309 noes, Roll No. 398). **Page 16340**

H. Res. 724, the rule providing for consideration of the bill was agreed to by a voice vote. **Page 16273**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Department of Homeland Security Financial Accountability Act: H.R. 4259, to amend the Internal Revenue Code of 1986 to increase the child tax credit; **Page 16349**

Amending United States Code to authorize the location of the principal office of the U.S. Court of Appeals for Veterans Claims: H.R. 3936, to amend title 38, United States Code, to authorize the principal office of the United States Court of Appeals for Veterans Claims to be at any location in the Washington, D.C., metropolitan area; **Page 16354**

Recognizing the members of AMVETS for their service to the Nation: H. Con. Res. 308, recognizing the members of AMVETS for their service to the Nation and supporting the goal of AMVETS National Charter Day; **Page 16359**

Providing for the appointment of Eli Broad as a citizen regent of the Board of Regents of the Smithsonian Institution: S.J. Res. 38, providing for the appointment of Eli Broad as a citizen regent of the Board of Regents of the Smithsonian Institution—clearing the measure for the President; **Page 16360**

Permitting the Library of Congress to hire Library of Congress police employees: H.R. 4816, to permit the Librarian of Congress to hire Library of Congress Police employees; **Page 16362**

Junk Fax Prevention Act of 2004: H.R. 4600, amended, to amend section 227 of the Communications Act of 1934 to clarify the prohibition on junk fax transmissions; and **Page 16368**

Minor Use and Minor Species Animal Health Act of 2003: S. 741, to amend the Federal Food, Drug, and Cosmetic Act with regard to new animal drugs—clearing the measure for the President. **Page 16371**

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further consideration will continue on Wednesday, July 21.

Recognizing the 35th anniversary of the Apollo 11 lunar landing: H. Res. 723, recognizing the 35th anniversary of the Apollo 11 lunar landing; **Page 16342**

Bob Michel Department of Veterans Affairs Outpatient Clinic Designation Act: H.R. 4608, to name the Department of Veterans Affairs outpatient clinic located in Peoria, Illinois, as the "Bob Michel Department of Veterans Affairs Outpatient Clinic"; **Page 16352**

Veterans Compensation Cost-of-Living Adjustment Act of 2004: H.R. 4175, amended, to increase, effective as of December 1, 2004, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans; and **Page 16356**

Sense of the House regarding the postponement of Presidential elections due to terrorist actions: H. Res. 728, expressing the sense of the House of Representatives that the actions of terrorists will never cause the date of any Presidential election to be postponed and that no single individual or agency should be given the authority to postpone the date of a Presidential election. **Page 16363**

Tax Relief, Simplification, and Equity Act of 2003—Motion To Instruct Conferees: The House debated the Stenholm motion to instruct conferees on H.R. 1308, to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit. Further consideration of the motion will continue on Wednesday, July 21. **Page 16380**

Late Conference Report: Agreed that the managers on the part of the House have until midnight on July 20 to file a conference report on H.R. 4613, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005. **Page 16325**

Senate Message: Message received from the Senate today appears on page 16263.

Senate Referral: S. 2385 was referred to the Committee on Transportation and Infrastructure; S. 2277 and S. 2398 were held at the desk. **Page 16721**

Quorum Calls—Votes: Two yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages 16295–98 and 16341–42. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 10:59 p.m.

Committee Meetings

FOREST LAND ENHANCEMENT PROGRAM

Committee on Agriculture: Held a hearing to review the Forest Land Enhancement Program. Testimony was heard from Mark E. Rey, Under Secretary, Natural Resources and Environment, USDA; and public witnesses.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD and Independent Agencies approved for full Committee action the VA, HUD and Independent Agencies appropriations for fiscal year 2005.

DEPOT MAINTENANCE

Committee on Armed Services: Subcommittee on Readiness held a hearing on Depot Maintenance—Capacity and Resources for Future Work. Testimony was heard from the following officials of the Department of Defense: MG Mitchell Stevenson, USA., Deputy Chief of Staff, Logistics and Operations, U.S. Army Materiel Command, Department of the Army; the following officials of the Department of the Navy: RAD Mark A. Hugel, USN, Deputy Director, Fleet Readiness Division; and LTG Richard L. Kelly, USMC, Deputy Commandant, Installations and Logistics, U.S. Marine Corps; and LTG Donald J. Wetekam, USAF, Deputy Chief of Staff, Installations and Logistics, Department of the Air Force.

SPECIAL OPERATIONS COMMAND PERSONNEL ISSUES

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on Special Operations Command Personnel Issues. Testimony was heard from the following officials of the Department of Defense: COL Kenneth J. Cull, USA, Director, Manpower and Personnel (J1), U.S. Special Forces Command; and CSM Michael T. Hall, USA, Senior Enlisted Advisor, U.S. Army Special Operations Command, both with the Department of the Army; CMSgt. Robert V. Martens, Jr., USAF, Senior Enlisted Advisor, U.S. Special Operations Command; and CMSgt. Howard J. Mowry, USAF, Senior Enlisted Advisor, Air Force Special Operations Command, both with the Department of the Air Force; and FORMC Clell Breining, USN, Senior Enlisted Advisor, Naval Special Warfare Command, Department of the Navy.

"ARE COLLEGE TEXTBOOKS PRICED FAIRLY?"

Committee on Education and the Workforce: Subcommittee on 21st Century Competitiveness held a hearing entitled "Are College Textbooks Priced Fairly?" Testimony was heard from public witnesses.

PIPELINE SAFETY

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "Pipeline Safety." Testimony was heard from the following officials of the Department of Transportation: Samuel G. Bonasso, Deputy Administrator, Research and Special Programs Administration; and Kenneth M. Mead, Inspector General; Katherine Siggerud, Director, Physical Infrastructure Issues, GAO; and public witnesses.

CREDIT UNION REGULATORY IMPROVEMENTS

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Credit Union Regulatory Improvements." Testimony was heard from JoAnn Johnson, Chairman, National Credit Union Administration; and public witnesses.

MULTIFAMILY HOUSING

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing on a GAO report entitled "Multifamily Housing: More Accessible HUD Data Could Help Efforts to Preserve Housing for Low-Income Tenants." Testimony was heard from David C. Wood, Director, Financial Markets and Community Investment, GAO; John C. Weicher, Assistant Secretary, Housing/Federal Housing Commissioner, Department of Housing and Urban Development; and public witnesses.

FIXING FEDERAL LAW ENFORCEMENT PAY AND BENEFITS

Committee on Government Reform: Subcommittee on Civil Service and Agency Organization held an oversight hearing entitled "Time to Bite the Bullet: Fixing Federal Law Enforcement Pay and Benefits." Testimony was heard from Ronald Sanders, Associate Director, Strategic Human Resources Policy, OPM; and public witnesses.

"WHAT IS THE ADMINISTRATION'S RECORD IN RELIEVING BURDEN ON SMALL BUSINESS?"

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs and the Subcommittee on Regulatory Reform and Oversight of the Committee on Small Business continued joint hearings entitled "What is the Administration's Record in Relieving Burden on Small Business?—Part II." Testimony was heard from John D. Graham, Administrator, Office of Information and Regulatory Affairs, OMB; Jesus Delgado-Jenkins, Acting Assistant Secretary, Management and Budget and Chief Financial Officer, Department of the Treasury; Felipe Mendoza, Associate Administrator, Office of Small Business Utilization, GSA; and public witnesses.

DOD FINANCIAL MANAGEMENT PROBLEMS IMPACTING ARMY RESERVE PAY

Committee on Government Reform: Subcommittee on Government Efficiency and Financial Management held a hearing entitled "Are Financial Management Problems at the Department of Defense Impacting Army Reserve Pay?" Testimony was heard from Gregory D. Kutz, Director, Financial Management and Assurance, GAO; the following officials of the Department of Defense: LTG James R. Helmly, USA, Chief, Army Reserve; and Ernest H. Gregory, Acting Assistant Secretary, Financial Management and Comptroller, both with the Department of the Army; and Patrick T. Shine, Director, Military and Civilian Pay Services, Defense Finance and Accounting Service, Department of Defense; and public witnesses.

PUBLIC SAFETY INTEROPERABILITY

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Public Safety Interoperability: Look Who's Talking Now." Testimony was heard from William Jenkins, Jr., Director, Homeland Security and Justice Issues, GAO; David Boyd, Program Manager, SAFECOM, Department of Homeland Security; John Muleta, Chief, Wireless Telecommunications Bureau, FCC; Stephen T. Devine, Patrol Frequency Coordinator, Communications Division, State Highway Patrol General Headquarters, State of Missouri; Glen S. Nash, Telecommunications Division, Department of General Services, State of California; and public witnesses.

VOTING MACHINE TECHNOLOGY

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held a hearing entitled " The Science of Voting Machine Technology: Accuracy, Reliability, and Security." Testimony was heard from Randolph Hite, Director, Information Technology Architecture and Systems, GAO; Hratch Semerjian, Acting Director, National Institute of Standards and Technology, Department of Commerce; Terry Jarrett, General Counsel, Secretary of State, State of Missouri; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Held a hearing on the following bills: H.R. 1787, Good Samaritan Volunteer Firefighter Assistance Act of 2003; H.R. 3369, Nonprofit Athletic Organization Protection Act of 2003; and H.R. 1084, Volunteer Pilot Organization Protection Act. Testimony was heard from public witnesses.

CHILD CUSTODY PROTECTION ACT

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on H.R. 1755, Child Custody Protection Act. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held a hearing on the following bills: H.R. 3176, Ojito Wilderness Act; and H.R. 4593, Lincoln County Conservation, Recreation, and Development Act of 2004. Testimony was heard from Senators Ensign and Reid; and Representatives Wilson of New Mexico and Porter; Rebecca Watson, Assistant Secretary, Land and Minerals Management, Department of the Interior; and public witnesses.

CONFERENCE REPORT—COAST GUARD AUTHORIZATION

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2443, Coast Guard and Maritime Transportation Act of 2004, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representatives LoBiondo and Filner.

SAME-DAY CONSIDERATION OF RESOLUTION REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of July 21, 2004, providing for the consideration or disposition of a conference report to accompany the bill (H.R. 1308) to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit, and for other purposes.

MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2005

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of general debate on H.R. 4837, Military Construction Appropriations Act, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. No testimony was heard.

GSA'S FISCAL YEAR 2005 CAPITAL INVESTING AND LEASING PROGRAM

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management approved for full Committee action the GSA's Fiscal Year 2005 Capital Investment and Leasing Program.

ENSURING VALUE FROM EPA GRANTS

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held an oversight hearing on Ensuring Value from EPA Grants. Testimony was heard from The following officials of the EPA: Nikki Tinsley, Inspector General; and David J. O'Connor, Acting Assistant Administrator, Office of Administration and Resources Management; John B. Stephenson, Director, Environmental Issues, GAO; and public witnesses.

U.S.-MOROCCO FREE TRADE AGREEMENT IMPLEMENTATION ACT

Committee on Ways and Means: Ordered reported H.R. 4842, United States-Morocco Free Trade Agreement Implementation Act.

PUBLIC SERVANT RETIREMENT PROTECTION ACT

Committee on Ways and Means: Subcommittee on Social Security held a hearing on H.R. 4391, Public Servant Retirement Protection Act. Testimony was heard from Martin H. Gerry, Commissioner, Disability and Income Security Programs, SSA; and public witnesses.

BRIEFING—RED CROSS INTERNATIONAL COMMITTEE—REVIEW DOCUMENTS ON DETAINEE INTERROGATION

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing to Review the International Committee of the Red Cross Documents on Detainee Interrogation. The Committee was briefed by departmental witnesses.

ROLE OF BIOMETRICS IN COUNTERTERRORISM AND HOMELAND SECURITY EFFORTS

Permanent Select Committee on Intelligence: Subcommittee on Terrorism and Homeland Security met in executive session to hold a hearing on the Role of Biometrics in Counterterrorism and Homeland Security Efforts. Testimony was heard from departmental witnesses.

Joint Meetings

DEMOCRACY IN ALBANIA

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded a hearing to examine

the prospects for advancing democracy in Albania, after receiving testimony from Osmo Lipponen, Organization For Security and Co-operation In Europe, Erion Veliaj, MJAFT! ("Enough!")/Balkans Youth Link, Kreshnik Spahiu, Albanian Coalition Against Corruption, and Fatmir Mediu, Albanian Republican Party, all of Tirana, Albania; Nicholas C. Pano, Western Illinois University, Macomb, Illinois; Fatos Tarifa, Republic of Albania Ambassador, Washington, D.C.; Edward Selami, Former Member Albanian Parliament, Virginia Beach, Virginia.

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Wednesday, July 21, 2004

Senate

Chamber Action

Routine Proceedings, pages 16738–16823

Measures Introduced: Fifteen bills and four resolutions were introduced, as follows: S. 2701–2715, S. Res. 413–414, and S. Con. Res. 129–130. **Page 16793**

Measures Passed:

U.S.-Morocco Free Trade Agreement Implementation Act: By 85 yeas to 13 nays (Vote No. 159), Senate passed S. 2677, a bill to implement the United States-Morocco Free Trade Agreement. **Page 16749**

Cape Town Treaty Implementation Act: Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 4226, to amend title 49, United States Code, to make certain conforming changes to provisions governing the registration of aircraft and the recordation of instruments in order to implement the Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment, known as the "Cape Town Treaty", and the bill was then passed, clearing the measure for the President. **Page 16816**

Emergency Food and Shelter Act: Senate passed S. 2249, to amend the Stewart B. McKinney Homeless Assistance Act to provide for emergency food and shelter. **Page 16817**

Recognizing Warsaw Uprising: Committee on the Judiciary was discharged from further consideration of S. Con. Res. 125, recognizing the 60th anniversary of the Warsaw Uprising during World War II, and the resolution was then agreed to. **Page 16817**

Human Trafficking and Slavery: Senate agreed to S. Res. 414, encouraging States to consider adopting comprehensive legislation to combat human trafficking and slavery and recognizing the many efforts made to combat human trafficking and slavery. **Page 16817**

Blakely v. Washington Decision: Senate agreed to S. Con. Res. 130, expressing the sense of Congress that the Supreme Court of the United States should act expeditiously to resolve the confusion and inconsistency in the Federal criminal justice system caused by its decision in Blakely v. Washington. **Page 16820**

Nomination: Senate continued consideration of the nomination of Henry W. Saad, of Michigan, to be United States Circuit Judge for the Sixth Circuit. **Page 16760**

A unanimous-consent agreement was reached providing for further consideration of the nomination at approximately 10:30 a.m., on Thursday, July 22, 2004, with the time until 11 a.m., equally divided by the Chairman and Ranking Member of the Committee on the Judiciary; following which, Senate will vote on the motion to invoke cloture on the nomination. **Page 16822**

Nomination: Senate began consideration of the nomination of Richard A. Griffin, of Michigan, to be United States Circuit Judge for the Sixth Circuit. **Page 16780**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of July 21, 2004, a vote on cloture will occur on Thursday, July 22, 2004. **Page 16780**

Nomination: Senate began consideration of the nomination of David W. McKeague, of Michigan, to be United States Circuit Judge for the Sixth Circuit. **Page 16780**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of July 21, 2004, a vote on cloture will occur on Thursday, July 22, 2004. **Page 16780**

Treaty Approved: The following treaty having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present and having voted in the affirmative, the resolution of ratification was agreed to:

Convention on International Interests in Mobile Equipment and Protocol to Convention on International Interests in Mobile Equipment with declarations (Treaty Doc. 108–10). **Page 16816**

Nominations Confirmed: Senate confirmed the following nominations:

Juan Carlos Zarate, of California, to be an Assistant Secretary of the Treasury.

Stuart Levey, of Maryland, to be Under Secretary of the Treasury for Enforcement.

Thomas Fingar, of Virginia, to be an Assistant Secretary of State (Intelligence and Research).

Robert Clark Corrente, of Rhode Island, to be United States Attorney for the District of Rhode Island for the term of four years. **Pages 16822, 16823**

Nominations Received: Senate received the following nominations:

Lloyd O. Pierson, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Lloyd O. Pierson, an Assistant Administrator of the United States Agency for International Development, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2009.

1 Air Force nomination in the rank of general.

4 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral. **Page 16823**

Messages From the House: **Page 16786**

Measures Placed on Calendar: **Page 16786**

Measures Read First Time: **Page 16786**

Executive Communications: **Page 16786**

Petitions and Memorials: **Page 16788**

Executive Reports of Committees: **Page 16793**

Additional Cosponsors: **Page 16794**

Statements on Introduced Bills/Resolutions: **Page 16795**

Additional Statements: **Page 16784**

Authority for Committees to Meet: **Page 16814**

Record Votes: One record vote was taken today. (Total—159) **Page 16754**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:16 p.m., until 9:30 a.m., on Thursday, July 22, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 16822.)

Committee Meetings

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Vice Admiral Timothy J. Keating, USN, for appointment to the grade of admiral and to be Commander, United States Northern Command/Commander, North American Aerospace Defense Command; Lieutenant General Bantz J. Craddock, USA, for appointment to the grade of general and to be Commander, United States Southern Command; Peter Cyril Wyche Flory, of Virginia, to be an Assistant Secretary of Defense for International Security Policy, and Valerie Lynn Baldwin, of Kansas, to be an Assistant Secretary of the Army for Financial Management and Comptroller, who was introduced by Senator Roberts, and Representatives Hobson, and Jerry Lewis, after the nominees testified and answered questions in their own behalf.

NMS AND MARKET STRUCTURE

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine regulation of the national market system and developments in market structure, focusing on proposals to modernize the national market system to improve the regulatory structure of U.S. equity markets, after receiving testimony from William H. Donaldson, Chairman, U.S. Securities and Exchange Commission; Robert Greifeld, NASDAQ Stock Market, Inc., David F. Harris, American Stock Exchange, LLC, Edward J. Nicoll, Instinet Group, Inc., and John Thain, New York Stock Exchange, Inc., all of New York, New York; and Gerald D. Putnam, Archipelago Holdings, LLC, Chicago, Illinois.

PUBLIC LANDS/NATIONAL FORESTS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 738, to designate certain public lands in Humboldt, Del Norte, Mendocino, Lake, Napa, and Yolo Counties in the State of California as wilderness, to designate certain segments of the Black Butte River in Mendocino County, California as a wild or scenic river, S. 1614, to designate a portion of White Salmon River as a component of the National Wild and Scenic Rivers System, S. 2221, to authorize the Secretary of Agriculture to sell or exchange certain National Forest System land in the State of Oregon, S. 2253, to permit young adults to perform projects to prevent fire and suppress fires, and provide disaster relief, on public land through a Healthy Forest Youth Conservation Corps, S. 2334, to designate certain National Forest System land in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System, S. 2408, to adjust the boundaries of the Helena, Lolo, and Beaverhead-Deerlodge National Forests in the State of Montana, and S. 2622, to provide for the exchange of certain Federal land in the Santa Fe National Forest and certain non-Federal land in the Pecos National Historical Park in the State of New Mexico, after receiving testimony from Senator Boxer; Representative Thomas; Mark Rey, Under Secretary of Agriculture for Natural Resources and Environment Minerals; Chad Calvert, Assistant Secretary of the Interior for Lands and Minerals Management; Art Pope, Northwest Youth Corps, Eugene, Oregon; John Woolley, Humboldt County Supervisor, Eureka, California; and Don Amador, BlueRibbon Coalition, Inc., Oakley, California.

TAX GAP

Committee on Finance: Committee held a hearing to examine bridging the difference between what taxpayers pay voluntarily and what they are supposed to pay, focusing on increasing the effectiveness of the Internal Revenue Service, simplifying the tax administration system, the "underground economy", tax shelters, and ways that data

sharing and analysis may enhance tax compliance and improve immigration eligibility decisions, receiving testimony from Raymond T. Wagner Jr., Member, Internal Revenue Service Oversight Board, Pamela J. Gardiner, Acting Inspector General for Tax Administration, Mark W. Everson, Commissioner of Internal Revenue, Nina E. Olson, National Taxpayer Advocate, Taxpayer Advocate Service, Internal Revenue Service, all of the Department of the Treasury; Michael Brostek, Director, Strategic Issues, Government Accountability Office; Nicholas P. Godici, Commissioner for Patents, U.S. Patent and Trademark Office, Department of Commerce; Robert M. Morgenthau, District Attorney of New York County, New York, New York; Debbie Langsea, California Franchise Tax Board, Sacramento; Joseph Bankman, Stanford Law School, Stanford, California; Dale Brown, Incline Village, Nevada; and an anonymous witness.

Hearings recessed subject to the call.

MULTILATERAL DEVELOPMENT BANK

Committee on Foreign Relations: Committee concluded a hearing to examine United States efforts to prevent, detect, and punish corruption associated with development assistance provided by the Multilateral Development Banks, focusing on the United States Department of Treasury's role and internal efforts, after receiving testimony from John B. Taylor, Under Secretary of the Treasury for International Affairs; Richard Thornburgh, Kirkpatrick and Lockhart, former United States Attorney General, and Kimberly Ann Elliott, Institute for International Economics, all of Washington, DC; and Guido Penzhorn; Durban Bar, Durban, South Africa.

BUSINESS MEETING

Committee on Governmental Affairs: Committee ordered favorably reported the following business items:

S. 1230, to provide for additional responsibilities for the Chief Information Officer of the Department of Homeland Security relating to geospatial information, with an amendment in the nature of a substitute;

S. 2347, to amend the District of Columbia College Access Act of 1999 to permanently authorize the public school and private school tuition assistance programs established under the Act, with an amendment;

H.R. 4012, to amend the District of Columbia College Access Act of 1999 to reauthorize for five additional years the public school and private school tuition assistance programs established under the Act;

S. 2409, to provide for continued health benefits coverage for certain Federal employees, with an amendment;

S. 2628, to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel;

S. 2536, to enumerate the responsibilities of the Officer for Civil Rights and Civil Liberties of the Department of Homeland Security, to require the Inspector General of the Department of Homeland Security to designate a senior official to investigate civil rights complaints, with an amendment;

S. 2635, to establish an intergovernmental grant program to identify and develop homeland security information, equipment, capabilities, technologies, and services to further the homeland security of the United States and to address the homeland security needs of Federal, State, and local governments, with an amendment in the nature of a substitute;

S. 2657, to amend part III of title 5, United States Code, to provide for the establishment of programs under which supplemental dental and vision benefits are made available to Federal employees, retirees, and their dependents, to expand the contracting authority of the Office of Personnel Management;

S. 2639, to reauthorize the Congressional Award Act;

S. 2275, to amend the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) to provide for homeland security assistance for high-risk nonprofit organizations, with amendments;

S. 593, to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred, with an amendment in the nature of a substitute;

H.R. 3797, to authorize improvements in the operations of the government of the District of Columbia;

S. 2688, to provide for a report of Federal entities without annually audited financial statements;

S. 2501, to designate the facility of the United States Postal Service located at 73 South Euclid Avenue in Montauk, New York, as the "Perry B. Duryea, Jr. Post Office";

H.R. 4427, to designate the facility of the United States Postal Service located at 73 South Euclid Avenue in Montauk, New York, as the "Perry B. Duryea, Jr. Post Office";

S. 2640, to designate the facility of the United States Postal Service located at 1050 North Hills Boulevard in Reno, Nevada, as the "Guardians of Freedom Memorial Post Office Building" and to authorize the installation of a plaque at such site;

S. 2673, to designate the facility of the United States Postal Service located at 1001 Williams Street, Ignacio, Colorado, as the "Leonard C. Burch Post Office Building";

S. 2682, to designate the facility of the United States Postal Service located at 222 West 8th Street, Durango,

Colorado, as the "Ben Nighthorse Campbell Post Office Building";

H.R. 3340, to redesignate the facilities of the United States Postal Service located at 7715 and 7748 S. Cottage Grove Avenue in Chicago, Illinois, as the "James E. Worsham Post Office" and the "James E. Worsham Carrier Annex Building", respectively;

H.R. 4222, to designate the facility of the United States Postal Service located at 550 Nebraska Avenue in Kansas City, Kansas, as the "Newell George Post Office Building";

H.R. 4327, to designate the facility of the United States Postal Service located at 7450 Natural Bridge Road in St. Louis, Missouri, as the "Vitilas 'Veto' Reid Post Office Building"; and

The nominations of Neil McPhie, of Virginia, to be Chairman, and Barbara J. Sapin, of Maryland, to be a Member, both of the Merit Systems Protection Board.

NATIVE AMERICAN ECONOMIC DEVELOPMENT

Committee on Indian Affairs: Committee concluded a hearing to examine S. 519, to establish a Native American-owned financial entity to provide financial services to Indian tribes, Native American organizations, and Native Americans, after receiving testimony from David W. Anderson, Assistant Secretary of the Interior for Indian Affairs; Mark F. Brown, Mohegan Indian Tribe, Uncasville, Connecticut; Julie Kitka, Alaska Federation of Natives, Anchorage, Alaska; Chester Carl, National American Indian Housing Council, Washington, D.C.; Haunani Apoliona, Office of Hawaiian Affairs, Honolulu, Hawaii; and Katherine A. Spilde, Harvard University Project on American Indian Economic Development, Cambridge, Massachusetts.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following bills:

S. 2301, to improve the management of Indian fish and wildlife and gathering resources, with an amendment in the nature of a substitute; and

S. 2382, to establish grant programs for the development of telecommunications capacities in Indian country, with an amendment in the nature of a substitute.

Also, committee approved the motion to authorize the issuance of subpoenas by the Chairman and grant the Chairman and Vice Chairman the authority to issue additional subpoenas during the period of July 23, 2004 through September 7, 2004, pursuant to In re Tribal Lobbying Matters, et al. inquiry.

INDIAN HEALTH CARE IMPROVEMENT ACT

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the proposed reauthorization of the Indian Health Care Improvement Act, after receiving testimony from Representative Hayworth; Tommy G. Thompson, Secretary of Health and Human Services, and Charles Grim, Director of the Indian Health Service, each of the Department of Health and Human Services.

RADIATION EXPOSURE COMPENSATION

Committee on the Judiciary: Committee concluded an oversight hearing to examine the Radiation Exposure Compensation Program, focusing on compensation to individuals, or their surviving beneficiaries, who contracted certain specified cancers or other specified serious diseases as a possible result of their exposure to radiation, after receiving testimony from Jeffrey S. Bucholtz, Deputy Assistant Attorney General for the Civil Division, and Dianne Spellberg, Acting Director, Radiation Exposure Compensation Act Program, both of the Department of Justice; Rita Torres, Surprise, Arizona; Jeffrey Thompson, Jacksonville, Arkansas; and Helen Bandley Houghton, San Antonio, Texas.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 4879–4889; 2 private bills, H.R. 4890–4891; and 3 resolutions, H. Con. Res. 476, and H. Res. 736–737, were introduced. **Page 16935**

Additional Cosponsors: **Page 16936**

Reports Filed: Reports were filed today as follows:

H. Res. 734, providing for consideration of H.R. 3313, to amend title 28, United States Code, to limit Federal court jurisdiction over questions under the Defense of Marriage Act (H. Rept. 108–623);

H. Res. 735, waiving points of order against the conference report to accompany the bill (H.R. 4613) making appropriations for the Department of Defense for the fiscal year ending September 30, 2005 (H. Rept. 108–624);

H.R. 112, to amend title 28, United States Code, to provide for an additional place of holding court in the District of Colorado (H. Rept. 108–625);

H.R. 4646, to amend title 28, United States Code, to provide for the holding of Federal district court in Plattsburgh, New York, amended (H. Rept. 108–626);

H.R. 4842, to implement the United States-Morocco Free Trade Agreement (H. Rept. 108–627);

H. Res. 738, providing for consideration of H.R. 4842 to implement the United States-Morocco Free Trade Agreement (H. Rept. 108–628);

H. Res. 739, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–629); and

H. Res. 740, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolu-

tions reported to the Committee on Rules (H. Rept. 108–630). Page 16935

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Kirk to act as Speaker pro tempore for today. Page 16824

Chaplain: The prayer was offered today by Rev. James Patterson, Pastor Emeritus, Lakewood United Methodist Church in Erie, Pennsylvania. Page 16824

Military Construction Appropriations Act for FY05: The House began consideration of H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005. Further consideration will resume at a later date. Page 16840

Agreed to H. Res. 732, the rule providing for consideration of the bill by a recorded vote of 212 ayes to 211 noes, Roll No. 401, after agreeing to order the previous question by a yea-and-nay vote of 217 yeas to 197 nays, Roll No. 400. Pages 16828, 16837

Coast Guard and Maritime Transportation Act of 2004—Conference Report: The House agreed to the conference report on H.R. 2443, to authorize appropriations for fiscal years 2004 and 2005 for the United States Coast Guard, by a yea-and-nay vote of 425 yeas to 1 nay, Roll No. 404. Pages 16849, 16876

H. Res. 730, the rule providing for consideration of the conference report was agreed to by a voice vote. Page 16836

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the 35th anniversary of the Apollo 11 lunar landing: Debated on Tuesday, July 20: H. Res. 723, recognizing the 35th anniversary of the Apollo 11 lunar landing, by a ⅔ yea-and-nay vote of 416 yeas with none voting "nay", Roll No. 402; Page 16838

Bob Michel Department of Veterans Affairs Outpatient Clinic Designation Act: Debated on Tuesday, July 20: H.R. 4608, to name the Department of Veterans Affairs outpatient clinic located in Peoria, Illinois, as the "Bob Michel Department of Veterans Affairs Outpatient Clinic", by a ⅔ yea-and-nay vote of 407 yeas with none voting "nay", Roll No. 403; Page 16839

Amending the Internal Revenue Code of 1986 to simplify the taxation of businesses: H.R. 4840, to amend the Internal Revenue Code of 1986 to simplify the taxation of businesses, by a ⅔ yea-and-nay vote of 424 ayes with none voting "nay", Roll No. 405; Pages 16855, 16877

Amending the Internal Revenue Code of 1986 to simplify certain tax rules for individuals: H.R. 4841, amended, to amend the Internal Revenue Code of 1986 to simplify certain tax rules for individuals; Page 16863

Military Housing Improvement Act of 2004: H.R. 4879, to increase the military housing private investment cap, by a ⅔ yea-and-nay vote of 423 yeas with none voting "nay", Roll No. 406; Pages 16870, 16878

Supporting the goals of National Marina Day: H. Res. 647, supporting the goals of National Marina Day and urging marinas to continue providing environmentally friendly gateways to boating; Page 16879

Hipolito F. Garcia Federal Building and United States Courthouse Building Designation Act: H.R. 3884, to designate the Federal building and United States courthouse located at 615 East Houston Street in San Antonio, Texas, as the "Hipolito F. Garcia Federal Building and United States Courthouse"; Page 16881

Judge William B. Bryant Annex to the E. Barrett Prettyman Federal Building and United States Courthouse Building Designation Act: H.R. 4294, amended, to designate the annex to the E. Barrett Prettyman Federal Building and United States Courthouse located at 333 Constitution Ave. Northwest in Washington, District of Columbia, as the "Judge William B. Bryant Annex to the E. Barrett Prettyman Federal Building and United States Courthouse"; Page 16883

Agreed to amend the title so as to read: to designate the annex to the E. Barrett Prettyman Federal Building and United States Courthouse located at 333 Constitution Avenue Northwest in the District of Columbia as the "William B. Bryant Annex". Page 16884

North Korean Human Rights Act of 2004: H.R. 4011, amended, to promote human rights and freedom in the Democratic People's Republic of Korea; and Page 16889

Amending the Millennium Challenge Act of 2003: H.R. 4660, amended, to amend the Millennium Challenge Act of 2003 to extend the authority to provide assistance to countries seeking to become eligible countries for purposes of that Act. Page 16899

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further debate will continue on Thursday, July 22.

Commercial Aviation MANPADS Defense Act of 2004: H.R. 4056, amended, to encourage the establishment of both long-term and short-term programs to address the threat of man-portable air defense systems (MANPADS) to commercial aviation; Page 16884

Urging the Government of the Republic of Belarus to ensure a democratic election process for its elections in the Fall of 2004: H. Res. 652, urging the Government of the Republic of Belarus to ensure a democratic, transparent, and fair election process for its parliamentary elections in the fall of 2004; Page 16897

Celebrating 10 years of majority rule in the Republic of South Africa: H. Con. Res. 436, amended, celebrating 10 years of majority rule in the Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country; and **Page 16900**

Recognizing the importance in history of the 150th anniversary of the establishment of diplomatic relations between the U.S. and Japan: H. Con. Res. 418, recognizing the importance in history of the 150th anniversary of the establishment of diplomatic relations between the United States and Japan; **Page 16903**

Condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina in July 1994: H. Con. Res. 469, condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, in July 1994; and **Page 16904**

Declaring genocide in Darfur, Sudan: H. Con. Res. 467, amended, declaring genocide in Darfur, Sudan. **Page 16907**

Member Sworn—1st District, North Carolina: Representative-elect G.K. Butterfield presented himself in the well of the House and was administered the Oath of Office by the Speaker. Earlier the Minority Leader asked unanimous consent that the Oath of Office be administered today after the Clerk of the House transmitted the unofficial results of the Special Election held on July 20, 2004 from Gary O. Bartlett, Executive Director, North Carolina State Board of Elections, State of North Carolina. **Page 16876**

Senate Message: Message received from the Senate today appears on page 16824.

Senate Referral: S. 2700 was held at the desk.

Quorum Calls—Votes: Six yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages 16837–40, 16876, and 16878–79. There were no quorum calls.

Recess: The House recessed at 11:38 p.m. and reconvened at 7:42 a.m. on Thursday, July 22. **Page 16932**

Adjournment: The House met at 10 a.m. and adjourned at 7:44 a.m. on Thursday, July 22.

Committee Meetings

FEDERAL CROP INSURANCE SYSTEM

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing to review the Federal Crop Insurance System. Testimony was heard from the following officials of the USDA: Keith Collins, Chairman, Federal Crop Insurance Corporation; and Ross Davidson, Administrator, Risk Management Agency.

ARMY TRANSFORMATION

Committee on Armed Services: Continued hearings on Army Transformation: Implications for the Future, II. Testimony was heard from GEN Peter J. Schoomaker, USA, Chief of Staff, U.S. Army.

SMALL BUSINESS INNOVATION AND TECHNOLOGY

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on Small Business Innovation and Technology. Testimony was heard from public witnesses.

VOCATIONAL AND TECHNICAL EDUCATION FOR THE FUTURE ACT

Committee on Education and the Workforce: Ordered reported, as amended, H.R. 4496, Vocational and Technical Education for the Future Act.

METHYL BROMIDE

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "Methyl Bromide: Update on Achieving the Requirements of the Clean Air Act and Montreal Protocol." Testimony was heard from Claudia McMurray, Deputy Assistant Secretary, Environment, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State; Jeffrey R. Holmstead, Assistant Administrator, Air and Radiation, EPA; the following officials of the USDA: Rodney J. Brown, Deputy Under Secretary, Research, Education and Economics; and Burleson Smith, Director, Pest Management Policy; and public witnesses.

DIGITAL TELEVISION TRANSITION

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "The Digital Television Transition: What We Can Learn from Berlin." Testimony was heard from Mark Goldstein, Director, Physical Infrastructure, GAO; and public witnesses.

MONETARY POLICY AND THE STATE OF THE ECONOMY

Committee on Financial Services: Held a hearing on Monetary Policy and the State of the Economy. Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System.

"SHELL GAMES: CORPORATE GOVERNANCE AND ACCOUNTING FOR OIL AND GAS RESERVES"

Committee on Financial Services: Held a hearing entitled "Shell Games: Corporate Governance and Accounting for Oil and Gas Reserves." Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Government Reform: Ordered reported the following measures: H.R. 2449, amended, Civil War Sesquicentennial Commission Act; H.R. 2528, amended, Hudson-Fulton-Champlain 400th Commemoration Commission Act of 2003; H.R. 4324, To amend title 5, United States Code, to eliminate the provisions limiting certain election opportunities available to individuals participating in the Thrift Savings Plan; H.R. 4556, To designate the facility of the United States Postal Service located at 1115 South Clinton Avenue in Dunn, North Carolina, as the "General William Carey Lee Post Office Building"; H.R. 4618, To designate the facility of the United States Postal Service located at 10 West Prospect Street in Nanuet, New York, as the "Anthony I. Lombardi Memorial Post Office Building"; H.R. 4632, To designate the facility of the United States Postal Service located at 19504 Linden Boulevard in St. Albans, New York, as the "Archie Spigner Post Office Building"; H.R. 4657, District of Columbia Retirement Protection Improvement Act of 2004; S. 2415, to designate the facility of the United States Postal Service located at 4141 Postmark Drive, Anchorage, Alaska as the Robert J. Opinsky Post Office Building"; H. Res. 695, Expressing the condolences of the House of Representatives to the family and friends of Mattie Stepanek on his passing, and honoring the life of Mattie Stepanek for his braveness, generosity of spirit, and efforts to raise awareness of muscular dystrophy; and H. Res. 717, Honoring former President William Jefferson Clinton on the occasion of his 58th birthday.

CIO'S ROLE IN IT INVESTMENT OVERSIGHT AND INFORMATION MANAGEMENT

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held a hearing entitled "Where's the CIO? The Role, Responsibility and Challenge for Federal Chief Information Officers in IT Investment Oversight and Information Management." Testimony was heard from the following officials of the OMB: Clay Johnson, III, Deputy Director, Management; and Karen Evans, Administrator, Office of E-Government and Information Technology; David Powner, Director, Information Technology Management Issues; Kimberly Nelson, Assistant Administrator, Environmental Information, and Chief Information Officer, EPA; Steven Cooper, Chief Information Officer, Department of Homeland Security; Vance Hitch, Deputy Assistant Attorney General, Information Resources Management and Chief Information Officer, Department of Justice; Ira Hobbs, Deputy Assistant Secretary, Information Systems and Chief Information Officer, Department of the Treasury; and public witnesses.

HIV/AIDS IN ASIA

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on HIV/AIDS in Asia. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following measures: H. Res. 700, adversely, as amended, Directing the Attorney General to transmit to the House of Representatives documents in the possession of the Attorney General relating to the treatment of prisoners and detainees in Iraq, Afghanistan, and Guantanamo Bay; H.R. 4646, amended, To amend title 28, United States Code, to provide for the holding of Federal district court in Plattsburgh, New York; H.R. 112, To amend title 28, United States Code, to provide for an additional place of holding court in the District of Columbia; and H.R. 4586, amended, Family Movie Act of 2004.

OVERSIGHT—ADMINISTRATION OF LARGE BUSINESS BANKRUPTCY REORGANIZATIONS

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held an oversight hearing on the Administration of Large Business Bankruptcy Reorganizations: Has Competition for Big Cases Corrupted the Bankruptcy System? Testimony was heard from Roberta A. DeAngelis, Acting United States Trustee—Region 3, Executive Office for United States Trustees, U.S. Trustee Program, Department of Justice; and public witnesses.

MISCELLANEOUS MEASURES; GUAM WAR CLAIMS COMMISSION REPORT

Committee on Resources: Ordered reported, as amended, the following bills: H.R. 1662, Sound Science for Endangered Species Act Planning Act of 2003; and H.R. 2933, Critical Habitat Reform Act of 2003.

The Committee also held an oversight hearing on the Guam War Claims Commission Report. Testimony was heard from David Cohen, Deputy Assistant Secretary, Insular Affairs, Department of the Interior; Mauricio J. Tamargo, Chairman, Guam War Claims Review Commission, Foreign Claims Settlement Commission, Department of Justice; Kaleo Moylan, Lt. Gov., Guam; and former Delegate Ben Garrido Blaz, Guam.

MARRIAGE PROTECTION ACT

Committee on Rules: The Committee granted, by a vote of 7 to 3, a closed rule providing ninety minutes of debate on H.R. 3313, Marriage Protection Act of 2004, in the House equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted. The rule provides one motion to recommit with or without instructions. Testimony was heard from

Chairman Sensenbrenner and Representatives Stearns, Nadler and Jackson-Lee of Texas.

CONFERENCE REPORT—DEPARTMENT OF DEFENSE APPROPRIATIONS FISCAL YEAR 2005

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 4613, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representatives Lewis of California and Murtha.

U.S.-MOROCCO FREE TRADE AGREEMENT IMPLEMENTATION ACT

Committee on Rules: Granted, by voice vote, a closed rule providing 2 hours of debate in the House on H.R. 4842, United States-Morocco Free Trade Agreement Implementation Act, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that pursuant to section 151(f)(2) of the Trade Act of 1974, the previous question shall be considered as ordered on the bill to final passage without intervening motion. Section 2 of the resolution provides that during consideration of the bill, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard from Representative English.

SAME DAY CONSIDERATION OF RESOLUTION REPORTED BY RULES COMMITTEE PROVIDING EXTENSION OF HIGHWAY PROGRAMS

Committee on Rules: Granted, by voice vote, a resolution waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of July 22, 2004, providing for consideration of a bill to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

SAME DAY CONSIDERATION OF RESOLUTION REPORTED BY RULES COMMITTEE PROVIDING CONSIDERATION OF A CONFERENCE REPORT ACCOMPANYING IRC AMENDMENTS—ACCELERATE INCREASE IN REFUNDABILITY OF CHILD TAX CREDIT

Committee on Rules: Committee granted, by voice vote, a resolution waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of July 22, 2004, providing for consideration or disposition of a conference report to accompany the bill (H.R. 1308) to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit, and for other purposes.

CYBERSECURITY EDUCATION

Committee on Science: Held a hearing on Cybersecurity Education—Meeting the Needs of Technology Workers and Employers. Testimony was heard from 2LT David Aparicio, USAF, Electrical Engineer, Air Force Research Laboratory Information Directorate, Department of the Air Force; and public witnesses.

TAX INCENTIVES FOR HOMELAND SECURITY RELATED EXPENSES

Committee on Small Business: Subcommittee on Rural Enterprises, Agriculture and Technology held a hearing entitled "Tax Incentives for Homeland Security Related Expenses." Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Ordered reported the following bills: H.R. 784, amended, Water Quality Investment Act of 2003; H.R. 4470, to amend the Federal Water Pollution Act to extend the authorization of appropriations for the Lake Pontchartrain Basin Restoration Program; H.R. 4688, To amend the Federal Water Pollution Control Act to reauthorize the Chesapeake Bay Program; H.R. 4731, To amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program; and H.R. 4794, To amend the Tijuana River Valley Estuary and Beach Sewage Cleanup Act to extend the authorization of appropriations.

The Committee also approved the following: GSA Investment and Leasing Program resolutions; and U.S. Army Corps of Engineers Survey resolutions.

VETERANS' LEGISLATION

Committee on Veterans' Affairs: Ordered reported the following bills: H.R. 4768, amended, Veterans Medical Facilities Management Act of 2004; H.R. 4658, amended, Servicemembers Legal Protection Act of 2004; H.R. 1318, To name the Department of Veterans Affairs outpatient clinic in Sunnyside, Queens, New York, as the "Thomas P. Noonan, Jr., Department of Veterans Affairs Outpatient Clinic"; and H.R. 4836, To name the Department of Veterans Affairs medical center in Amarillo, Texas, as the "Thomas E. Creek Department of Veterans Affairs Medical Center".

THIRD PARTY COLLECTIONS PROGRAMS—PATIENT FINANCIAL SERVICES SYSTEM IMPLEMENTATION

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing on the VA's progress in its third party collections program and implementation of the Patient Financial Services System. Testimony was heard from the following officials of the Department of Veterans Affairs: Michael L. Staley, Assistant Inspector General, Auditing; Robert N. McFarland, Assistant Secretary, Office of Information and Technology; Kenneth Ruyle, Chief Business Officer, Veterans Health Administration; and Ken Ray, VISN 8 Chief Financial Officer; the following officials of the GAO: Cynthia A. Bascetta, Director, Health Care—Veterans' Health and Benefits Issues; and McCoy Williams, Director, Financial Management and Assurance Team; and public witnesses.

SOCIAL SECURITY NUMBER PRIVACY AND IDENTITY THEFT PREVENTION ACT

Committee on Ways and Means: Ordered reported, as amended, H.R. 2971, Social Security Number Privacy and Identity Theft Prevention Act of 2004.

BRIEFING—COUNTERNARCOTICS: LATIN AMERICA AND SOUTHEAST ASIA

Permanent Select Committee on Intelligence: Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to receive a Briefing: Counternarcotics: Latin America and Southeast Asia. The Subcommittee was briefed by departmental witnesses.

Joint Meetings

CAUCASUS RELIGIOUS FREEDOM

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission met to receive a briefing on the current state of religious freedom in the Caucasus due to recent events in Azerbaijan, Armenia and Georgia from Paul Crego, Cataloging Specialist, Library of Congress; Eric Rassbach, Becket Fund for Religious Liberty, Washington, D.C.; Andre Carbonneau, Jehovah's Witnesses, Montreal, Canada.

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Thursday, July 22, 2004

Senate

Chamber Action

Routine Proceedings, pages 16963–17203

Measures Introduced: Fifty-seven bills and ten resolutions were introduced, as follows: S. 2716–2772, S. Res. 415–419, and S. Con. Res. 131–135. **Page 17076**

Measures Reported:

H.R. 3340, to redesignate the facilities of the United States Postal Service located at 7715 and 7748 S. Cottage Grove Avenue in Chicago, Illinois, as the "James E. Worsham Post Office" and the "James E. Worsham Carrier Annex Building", respectively.

H.R. 4012, To amend the District of Columbia College Access Act of 1999 to reauthorize for five additional years the public school and private school tuition assistance programs established under the Act.

H.R. 4222, to designate the facility of the United States Postal Service located at 550 Nebraska Avenue in Kansas City, Kansas, as the "Newell George Post Office Building".

H.R. 4327, to designate the facility of the United States Postal Service located at 7450 Natural Bridge Road in St. Louis, Missouri, as the "Vitilas 'Veto' Reid Post Office Building".

H.R. 4427, to designate the facility of the United States Postal Service located at 73 South Euclid Avenue in Montauk, New York, as the "Perry B. Duryea, Jr. Post Office".

S. 2501, to designate the facility of the United States Postal Service located at 73 South Euclid Avenue in Montauk, New York, as the "Perry B. Duryea, Jr. Post Office".

S. 2640, to designate the facility of the United States Postal Service located at 1050 North Hills Boulevard in Reno, Nevada, as the "Guardians of Freedom Memorial Post Office Building" and to authorize the installation of a plaque at such site.

S. 2673, to designate the facility of the United States Postal Service located at 1001 Williams Street, Ignacio, Colorado, as the "Leonard C. Burch Post Office Building".

S. 2682, to designate the facility of the United States Postal Service located at 222 West 8th Street, Durango, Colorado, as the "Ben Nighthorse Campbell Post Office Building". **Page 17075**

Measures Passed:

National Veterans Business Development Corporation Clarification: Senate passed S. 2724, to amend section 33(a) of the Small Business Act (15 U.S.C. 657c(a)) to clarify that the National Veterans Business Development Corporation is a private entity. **Page 17028**

FHA Mortgage Insurance: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of S. 2712, to preserve the ability of the Federal Housing Administration to insure mortgages under sections 238 and 519 of the National Housing Act, and the bill was then passed. **Page 17013**

Patient Safety and Quality Improvement Act: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H.R. 663, to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely affect patient safety, and the bill was then passed, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 720, Senate companion measure, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 17014**

Frist (for Gregg/Kennedy) Amendment No. 3568, in the nature of a substitute. **Page 17019**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Gregg, Frist, Enzi, Alexander, Kennedy, Dodd, and Jeffords. **Page 17020**

Subsequently, S. 720 was returned to the Senate calendar. **Page 17020**

U.S.-Morocco Free Trade Agreement Implementation Act: Pursuant to the order of July 21, 2004, Senate passed H.R. 4842, to implement the United States-Morocco Free Trade Agreement. **Page 17020**

Subsequently, the July 21, 2004 passage of S. 2677, Senate companion measure, was vitiated, and the bill was then returned to the Senate calendar. **Page 17020**

TEA–21 Extension: Senate passed H.R. 4916, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, clearing the measure for the President. **Page 17184**

Sudan Human Rights: Senate agreed to S. Con. Res. 133, declaring genocide in Darfur, Sudan. **Page 17185**

Condemning Anti-Semitic Attack: Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 126, condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, in July 1994, and expressing the concern of the United States regarding the continuing, decade-long delay in the resolution of this case, and the resolution was then agreed to. **Page 17187**

Urging the Government of Ukraine: Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 106, urging the Government of Ukraine to ensure a democratic, transparent, and fair election process for the presidential election on October 31, 2004, and the resolution was then agreed to. **Page 17188**

Iran Nuclear Safeguards Agreement: Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 81, expressing the concern of Congress over Iran's development of the means to produce nuclear weapons, and the resolution was agreed to, after agreeing to the following amendments proposed thereto: **Page 17189**

Frist (for Kyl/Feinstein) Amendment No. 3569, in the nature of a substitute. **Page 17189**

Frist (for Kyl) Amendment No. 3570, to amend the preamble. **Page 17190**

Frist (for Kyl) Amendment No. 3571, to amend the title. **Page 17192**

Iran: Committee on Foreign Relations was discharged from further consideration of H. Con. Res. 398, expressing the concern of Congress over Iran's development of the means to produce nuclear weapons, and the resolution was then agreed to. **Page 17192**

Frist (for Kyl/Feinstein) Amendment No. 3572, in the nature of a substitute. **Page 17192**

Frist (for Kyl) Amendment No. 3573, to amend the preamble. **Page 17192**

Frist (for Kyl) Amendment No. 3574, to amend the title. **Page 17192**

Perry B. Duryea, Jr. Post Office: Senate passed S. 2501, to designate the facility of the United States Postal Service located at 73 South Euclid Avenue in Montauk, New York, as the "Perry B. Duryea, Jr. Post Office". **Page 17192**

Guardians of Freedom Memorial Post Office Building: Senate passed S. 2640, to designate the facility of the United States Postal Service located at 1050 North Hills Boulevard in Reno, Nevada, as the "Guardians of Freedom Memorial Post Office Building" and to authorize the installation of a plaque at such site. **Page 17193**

Ben Nighthorse Campbell Post Office Building: Senate passed S. 2682, to designate the facility of the United States Postal Service located at 222 West 8th Street, Durango, Colorado, as the "Ben Nighthorse Campbell Post Office Building". **Page 17193**

James E. Worsham facilities: Senate passed H.R. 3340, to redesignate the facilities of the United States Postal Service located at 7715 and 7748 S. Cottage Grove Avenue in Chicago, Illinois, as the "James E. Worsham Post Office" and the "James E. Worsham Carrier Annex Building", respectively, clearing the measure for the President. **Page 17193**

Newell George Post Office Building: Senate passed H.R. 4222, to designate the facility of the United States Postal Service located at 550 Nebraska Avenue in Kansas City, Kansas, as the "Newell George Post Office Building", clearing the measure for the President. **Page 17193**

Vitilas "Veto" Reid Post Office Building: Senate passed H.R. 4327, to designate the facility of the United States Postal Service located at 7450 Natural Bridge Road in St. Louis, Missouri, as the "Vitilas 'Veto' Reid Post Office Building", clearing the measure for the President. **Page 17193**

Perry B. Duryea, Jr. Post Office: Senate passed H.R. 4427, to designate the facility of the United States Postal Service located at 73 South Euclid Avenue in Montauk, New York, as the "Perry B. Duryea, Jr. Post Office", clearing the measure for the President. **Page 17193**

National Museum of the American Indian: Senate agreed to S.J. Res. 41, commemorating the opening of the National Museum of the American Indian, after agreeing to the committee amendment in the nature of a substitute. **Page 17193**

Record Production Authorization: Senate agreed to S. Res. 415, to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs. **Page 17194**

Congratulating California State University Fullerton baseball team: Senate agreed to S. Res. 416, congratulating the California State University, Fullerton baseball team on winning the 2004 College World Series. **Page 17194**

Congratulating UCLA Women's Softball team: Senate agreed to S. Res. 417, congratulating the University of California at Los Angeles women's softball team on winning the 2004 National Collegiate Athletic Association Championship. **Page 17195**

National Prostate Cancer Awareness Month: Senate agreed to S. Res. 418, designating September 2004 as "National Prostate Cancer Awareness Month." **Page 17195**

Authorizing Printing of Commemorative Document: Senate agreed to S. Con. Res. 135, authorizing the printing of a commemorative document in memory of the late President of the United States, Ronald Wilson Reagan. **Page 17195**

Recognizing AMVETS: Senate agreed to H. Con. Res. 308, recognizing the members of AMVETS for their service to the Nation and supporting the goal of AMVETS National Charter Day. **Page 17196**

Commending U.S. Institute of Peace: Senate agreed to S. Con. Res. 109, commending the United States Institute of Peace on the occasion of its 20th anniversary and recognizing the Institute for its contribution to international conflict resolution. **Page 17196**

National Veterans Awareness Week: Senate agreed to S. Res. 401, designating the week of November 7 through November 13, 2004, as "National Veterans Awareness Week" to emphasize the need to develop educational programs regarding the contributions of veterans to the country. **Page 17197**

Smokey Bear's 60th Anniversary: Senate agreed to S. Res. 404, designating August 9, 2004, as "Smokey Bear's 60th Anniversary". **Page 17197**

National Mammography Day: Senate agreed to S. Res. 407, designating October 15, 2004, as "National Mammography Day". **Page 17197**

SUTA Dumping Prevention Act: Senate passed H.R. 3463, to amend titles III and IV of the Social Security Act to improve the administration of unemployment taxes and benefits, clearing the measure for the President. **Page 17198**

Recognizing Historically Black Colleges and Universities: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 221, recognizing National Historically Black Colleges and Universities and the importance and accomplishments of historically Black colleges and universities, and the resolution was then agreed to. **Page 17198**

Recognizing Gold Medal Recipients: Committee on Governmental Affairs was discharged from further consideration of S. Res. 400, recognizing the 2004 Congressional Awards Gold Medal Recipients, and the resolution was then agreed to. **Page 17198**

Service Activities to Assist Seniors: Committee on the Judiciary was discharged from further consideration of S. Res. 409, encouraging increased involvement in service activities to assist senior citizens, and the resolution was then agreed to. **Page 17199**

National Purple Heart Recognition Day: Committee on Armed Services was discharged from further consideration of S. Con. Res. 112, supporting the goals and ideals of National Purple Heart Recognition Day, and the resolution was then agreed to. **Page 17200**

Honoring WWII Army Motor Transport Brigade: Committee on Armed Services was discharged from further consideration of H. Con. Res. 439, honoring the members of the Army Motor Transport Brigade who during World War II served in the trucking operation known as the Red Ball Express for their service and contribution to the Allied advance following the D-Day invasion of Normandy, France, and the resolution was then agreed to. **Page 17200**

Adjournment Resolution: Senate agreed to H. Con. Res. 479, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page 17201**

Tamper-Resistant Entry/Exit Documents: Senate passed H.R. 4417, to modify certain deadlines pertaining to machine-readable, tamper-resistant entry and exit documents. **Page 17201**

Department of Defense Appropriations—Conference Report: By a unanimous vote of 96 yeas (Vote No. 163), Senate agreed to the conference report to accompany H.R. 4613, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005. **Page 17001**

Coast Guard and Maritime Transportation—Conference Report: Senate agreed to the conference report to accompany H.R. 2443, to authorize appropriations for fiscal years 2004 and 2005 for the United States Coast Guard, clearing the measure for the President. **Page 17011**

Signing Authority Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, Assistant Majority Leader, and Senator Warner, be authorized to sign duly enrolled bills or joint resolutions. **Page 17200**

Authority for Committees—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the Senate's adjournment, all committees be authorized to file legislative and executive reports of the Senate on Wednesday, August 25, 2004, from 10 a.m. to 12 noon. **Page 17200**

Appointment Authority—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Democratic Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page 17201**

Nomination: Senate continued consideration of the nomination of Henry W. Saad, of Michigan, to be United States Circuit Judge for the Sixth Circuit. **Page 16972**

During consideration of this nomination today, Senate also took the following action:

By 52 yeas to 46 nays (Vote No. 160), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the nomination. **Page 16979**

Nomination: Senate continued consideration of the nomination of Richard A. Griffin, of Michigan, to be United States Circuit Judge for the Sixth Circuit. **Page 16979**

During consideration of this nomination today, Senate also took the following action:

By 54 yeas to 44 nays (Vote No. 161), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the nomination. **Page 16981**

Nomination: Senate continued consideration of the nomination of David W. McKeague, of Michigan, to be United States Circuit Judge for the Sixth Circuit. **Page 16982**

During consideration of this nomination today, Senate also took the following action:

By 53 yeas to 44 nays (Vote No. 162), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the nomination. **Page 16982**

Nomination—Agreement: A unanimous-consent agreement was reached providing for consideration of the nominations of Virginia Maria Hernandez Covington, to be United States District Judge for the Middle District of Florida, and Michael H. Schneider, Sr., to be United States District Judge for the Eastern District of Texas, at 5 p.m., on Tuesday, September 7, 2004, and that the time until 5:30 p.m. be equally divided between the Chairman and Ranking Member of the Committee on the Judiciary; after which Senate will vote on confirmation of the nominations respectively; following which, Senate will consider and vote on the nomination of Michael H. Watson, to be United States District Judge for the Southern District of Ohio. **Page 17184**

Nominations—Agreement: A unanimous-consent agreement was reached providing that all nominations remain in status quo, notwithstanding the adjournment of the Senate, and the provisions of rule XXXI, Paragraph 6, of the Standing Rules of the Senate, with certain exceptions. **Page 17184**

Appointments:

Ticket to Work and Work Incentives Advisory Panel: The Chair, on behalf of the Majority Leader, after consultation with the Ranking Member of the Senate Committee on Finance, pursuant to Public Law 106–170, announced the appointment of the following individual to serve as a member of the Ticket to Work and Work Incentives Advisory Panel: Thomas P. Golden of Tennessee. **Page 17200**

Nominations Confirmed: Senate confirmed the following nominations:

Charles L. Kolbe, of Iowa, to be a Member of the Internal Revenue Service Oversight Board for the remainder of the term expiring September 14, 2004.

Jerald S. Paul, of Florida, to be Principal Deputy Administrator, National Nuclear Security Administration. (New Position)

Tina Westby Jonas, of Virginia, to be Under Secretary of Defense (Comptroller).

David M. Stone, of Virginia, to be an Assistant Secretary of Homeland Security. (New Position)

Larry C. Kindsvater, of Virginia, to be Deputy Director of Central Intelligence for Community Management.

John O. Colvin, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years. (Reappointment)

Captain Samuel P. De Bow, Jr., NOAA for appointment to the grade of Rear Admiral (O–8), while serving in a position of importance and responsibility as Director, NOAA Corps and Director, Office of Marine and Aviation Operations, National Oceanic and Atmospheric Administration, under the provisions of Title 33, United States Code, Section 3028(d)(1).

Captain Richard R. Behn, NOAA for appointment to the grade of Rear Admiral (O–7), while serving in a posi-

tion of importance and responsibility as Director, Marine and Aviation Operations Centers, National Oceanic and Atmospheric Administration, under the provisions of Title 33, United States Code, Section 3028(d)(1).

John Ripin Miller, of Washington, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Valerie Lynn Baldwin, of Kansas, to be an Assistant Secretary of the Army.

2 Air Force nominations in the rank of general.

9 Army nominations in the rank of general.

3 Coast Guard nominations in the rank of admiral.

9 Marine Corps nominations in the rank of general.

26 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, National Oceanic and Atmospheric Administration, Navy. **Pages 17184, 17202**

Nominations Received: Senate received the following nominations:

Sharon Brown-Hruska, of Virginia, to be a Commissioner of the Commodity Futures Trading Commission for the term expiring April 13, 2009. (Reappointment)

James S. Simpson, of New York, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

Karen Alderman Harbert, of the District of Columbia, to be an Assistant Secretary of Energy (International Affairs and Domestic Policy).

Hector E. Morales, of Texas, to be United States Executive Director of the Inter-American Development Bank for a term of three years.

Alan Greenspan, of New York, to be United States Alternate Governor of the International Monetary Fund for a term of five years. (Reappointment)

Christopher A. Boyko, of Ohio, to be United States District Judge for the Northern District of Ohio.

Lisa Godbey Wood, of Georgia, to be United States Attorney for the Southern District of Georgia for the term of four years.

Richard B. Roper III, of Texas, to be United States Attorney for the Northern District of Texas for the term of four years.

Gregory Franklin Jenner, of Oregon, to be an Assistant Secretary of the Treasury.

Yousif B. Ghafari, of Michigan, to be an Alternate Representative of the United States of America to the Fifty-ninth Session of the General Assembly of the United Nations.

Jane Dee Hull, of Arizona, to be a Representative of the United States of America to the Fifty-ninth Session of the General Assembly of the United Nations.

John S. Shaw, of the District of Columbia, to be an Assistant Secretary of Energy (Environment, Safety and Health).

Anna Escobedo Cabral, of Virginia, to be Treasurer of the United States.

Routine lists in the Air Force. **Page 17201**

Nominations Returned to the President: The following nominations were returned to the President failing of confirmation under Senate rule XXXI at the time of the adjournment of the 108th Congress:

Deborah P. Majoras, of Virginia, to be a Federal Trade Commissioner for the unexpired term of seven years from September 26, 2001; and

Jon D. Leibowitz, of Maryland, to be a Federal Trade Commissioner for a term of seven years from September 26, 2003. **Page 17185**

Messages From the House: **Page 17066**

Measures Referred: **Page 17066**

Measures Placed on Calendar: **Page 17066**

Executive Communications: **Page 17066**

Petitions and Memorials: **Page 17067**

Executive Reports of Committees: **Page 17075**

Additional Cosponsors: **Page 17078**

Statements on Introduced Bills/Resolutions: **Page 17081**

Additional Statements: **Page 17060**

Amendments Submitted: **Page 17169**

Notices of Hearings/Meetings: **Page 17183**

Authority for Committees to Meet: **Page 17183**

Privilege of the Floor: **Page 17184**

Record Votes: Four record votes were taken today. (Total—163) **Pages 16979, 16981, 16982, 17009**

Adjournment: Senate met at 9:30 a.m., and, in accordance with the provisions of H. Con. Res. 479, adjourned at 11:46 p.m., until 12 noon, on Tuesday, September 7, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 17201.)

Committee Meetings

APPALACHIAN COUNCIL/WORKING FOR AMERICA INSTITUTE

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies concluded a hearing to examine contract renewal issues relative to the Appalachian Council and future funding issues relative to the Working for America Institute, focusing on vocational training, job placement and career transition services to Job Corps students and graduates, after receiving testimony from Thomas M. Dowd, Deputy Assistant Secretary of Labor for Employment and Training Administration; Mayor Bobby Baker, Batesville, Mississippi; Richard C. Trigg, Job Corps, and Nancy Mills, Working for America Institute, both of Wash-

ington, D.C.; Jim Bowen, West Virginia AFL–CIO, Gary Darlington and Herb Mabry, both of the Appalachian Council, all of Charleston, West Virginia; Bill George, Pennsylvania AFL–CIO, Harrisburg; and William Burga, Ohio AFL–CIO, Columbus.

ARMY INSPECTOR GENERAL REPORT

Committee on Armed Services: Committee concluded a hearing to examine the Department of the Army Inspector General Report on detention operation doctrine and training, after receiving testimony from Les Brownlee, Acting Secretary of the Army; General Peter J. Schoomaker, USA, Chief of Staff of the Army; Lieutenant General Paul T. Mikolashek, USA, Inspector General of the Army; and Lieutenant General Keith B. Alexander, USA, Deputy Chief of Staff, G–2.

SEC PROPOSED RULEMAKING

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the proposed Regulation NMS (National Market System) relative to tradethroughs, intermarket access, sub-penny pricing, and market data, and market structure developments, after receiving testimony from Davi M. D'Agostino, Director, Financial Markets and Community Investments, Government Accountability Office; David Colker, National Stock Exchange, Chicago, Illinois; Kevin Cronin, AIM Investments, Houston, Texas; Scott DeSano, Fidelity Investments, Boston, Massachusetts; Phylis M. Esposito, Ameritrade Holding Corporation, Omaha, Nebraska; Charles Leven, AARP, Washington, D.C.; and Bernard L. Madoff, Bernard L. Madoff Investment Securities, Robert H. McCooey Jr., Griswold Company, Inc., Kim Bang, Bloomberg Tradebook, LLC, Robert B. Fagenson, Van der Moolen Specialists, John C. Giesea, Security Traders Association, all of New York, New York.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 2295, to authorize appropriations for the Homeland Security Department's Directorate of Science and Technology, establish a program for the use of advanced technology to meet homeland security needs;

H.R. 2608, to reauthorize the National Earthquake Hazards Reduction Program;

S. 2603, to amend section 227 of the Communications Act of 1934 (47 U.S.C. 227) relating to the prohibition on junk fax transmissions;

S. 2644, to amend the Communications Act of 1934 with respect to the carriage of direct broadcast satellite television signals by satellite carriers to consumers in rural areas, with an amendment in the nature of a substitute;

S. 2281, to provide a clear and unambiguous structure for the jurisdictional and regulatory treatment for the offering or provision of voice-over-Internet-protocol applications, with an amendment in the nature of a substitute;

S. 2505, to implement the recommendations of the Federal Communications Commission report to the Congress regarding low power FM service, with an amendment;

S. 2645, to amend the Communications Act of 1934 to authorize appropriations for the Corporation for Public Broadcasting;

S. 2488, to establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities;

S. 2280, to establish a coordinated national ocean exploration program within the National Oceanic and Atmospheric Administration; and

The nominations of David M. Stone, of Virginia, to be an Assistant Secretary of Homeland Security (Transportation Security Administration), Albert A. Frink, Jr., of California, to be Assistant Secretary of Commerce for Legislative and Intergovernmental Affairs, Brett T. Palmer, of New York, to be an Assistant Secretary of Commerce, Benjamin H. Wu, of Maryland, to be Assistant Secretary of Commerce for Technology Policy, Scott Kevin Walker, of Wisconsin, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation, Enrique J. Sosa, of Florida, to be a Member of the Reform Board (Amtrak), Captain Richard R. Behn, NOAA, for appointment to the grade of Rear Admiral (O–7), while serving in a position of importance and responsibility as Director, Marine and Aviation Operations Centers, National Oceanic and Atmospheric Administration, and Captain Samuel P. De Bow, Jr., NOAA, for appointment to the grade of Rear Admiral (O–8), while serving in a position of importance and responsibility as Director, NOAA Corps and Director, Office of Marine and Aviation Operations, National Oceanic and Atmospheric Administration, and sundry nominations for promotion in the National Oceanic and Atmospheric Administration and the U.S. Coast Guard.

SATURN

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the Cassini-Huygens mission to Saturn, focusing on the planet's rings, and its moon Titan, after receiving testimony from Orlando Figueroa, Solar System Exploration Division Director, Office of Space Science, and Denis Bogan, Scientist, and Mark Dahl, Executive, both of the Cassini Program, all of the National Aeronautics and Space Administration.

NATIONAL PARKS AIR TOUR MANAGEMENT ACT

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded an oversight hearing to ex-

amine the implementation of the National Parks Air Tour Management Act of 2000 (Title VIII, Public Law 106–181), after receiving testimony from William C. Withycombe, Regional Administrator (Western Pacific Region), Federal Aviation Administration, Department of Transportation; Paul Hoffman, Deputy Assistant Secretary of the Interior for Fish and Wildlife and Parks; Roy Resavage, Helicopter Association International, Alexandria, Virginia; David J. Chevalier, Blue Hawaiian Helicopters, Kahului, Hawaii; Charles W. Maynard, Friends of Great Smoky Mountains National Park, Jonesboro, Tennessee; and Don Barger, National Parks Conservation Association (Southeast Region), Knoxville, Tennessee.

HIGHER EDUCATION FINANCING

Committee on Finance: Committee held a hearing to examine the role of higher education financing in strengthening United States competitiveness in a global economy, receiving testimony from Randall Edwards, Oregon State Treasurer, Salem; Susan Dynarski, Harvard University Kennedy School of Government, Cambridge, Massachusetts; Peter B. Corr, Pfizer, New York, New York; Watson Scott Swail, Education Policy Institute, Stafford, Virginia; Robert Paxton, Iowa Central Community College, Fort Dodge; David Forbes, University of Montana School of Pharmacy, Missoula; Chuck Toth, Merrill Lynch and Company, Princeton, New Jersey; and James Fadule, UPromise Investments, Needham, Massachusetts.

Hearing recessed subject to the call.

IRAQ—POST-TRANSITION

Committee on Foreign Relations: Committee concluded a hearing to examine the current situation in Iraq post-transition, focusing on U.S. activities in Iraq since the transfer of sovereignty to the new Interim Iraqi Government, including increasing security in Iraq, improving the economy, affirming the place of Iraq as a member of the international community, and laying the groundwork for national elections in Iraq, after receiving testimony from Ronald L. Schlicher, Iraq Coordinator, Bureau of Near Eastern Affairs, Department of State; and David C. Gompert, National Defense University Center for Technology and National Security Policy, Washington, D.C.

INTERNET PHARMACIES

Committee on Governmental Affairs: Permanent Subcommittee on Investigations resumed hearings to examine the extent to which consumers can purchase pharmaceuticals over the Internet without a medical prescription, the importation of pharmaceuticals into the United States, and whether pharmaceuticals from foreign sources are counterfeit, expired, unsafe, or illegitimate, focusing on the extent to which U.S. consumers can purchase dangerous and often addictive controlled substances from Internet pharmacy websites and the procedures utilized by the Bureau of Customs and Border Protection, the Drug Enforcement Administration, the United States Postal Service, and the Food and Drug Administration, as well as the private sector to address these issues, after receiving testimony from Richard M. Stana, Director, Homeland Security and Justice Issues, Government Accountability Office; Karen P. Tandy, Administrator, Drug Enforcement Administration, Department of Justice; Lee R. Heath, Chief Postal Inspector, United States Postal Service; Jayson P. Ahern, Assistant Commissioner, Office of Field Operations, Bureau of Customs and Border Protection, Department of Homeland Security; John M. Taylor, III, Associate Commissioner for Regulatory Affairs, and William K. Hubbard, Associate Commissioner for Policy and Planning, both of the Food and Drug Administration, Department of Health and Human Services; John Scheibel, Yahoo! Inc., Washington, D.C.; Sheryl Sandberg, Google, Inc., Mountain View, California; Joshua L. Peirez, Mastercard International Incorporated, Purchase, New York; Steve Ruwe, Visa U.S.A. Inc., Foster City, California; Robert A. Bryden, FedEx Corporation, Memphis, Tennessee; and Daniel J. Silva, United Parcel Service, Atlanta, Georgia.

NOMINATION

Committee on Governmental Affairs: Committee concluded a hearing examine the nomination of Allen Weinstein, of Maryland, to be Archivist of the United States, National Archives and Records Administration, after the nominee, who was introduced by Senator Lugar, testified and answered questions in his own behalf.

MILITARY FAMILIES

Committee on Health, Education, Labor, and Pensions: On Wednesday, July 21, Subcommittee on Children and Families held a joint hearing with the Committee on Armed Services' Subcommittee on Personnel to examine how states have responded to military families' unique challenges during military deployments and what the Federal Government can do to support states in this important work, receiving testimony from Charles S. Abell, Principal Deputy Under Secretary of Defense for Personnel and Readiness; Florida Governor John Ellis Bush, Tallahassee; Indiana Governor Joseph E. Kernan, Indianapolis; Nolan Jones, National Governors Association, Washington, D.C.; General Dennis J. Reimer, USA (Ret.), Edmond, Oklahoma, on behalf of the Military Child Education Coalition; and Hollister K. Petraeus, Fort Belvoir, Virginia.

Hearing recessed subject to the call.

TERRORISM PREPAREDNESS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine preparations for possible future terrorist attacks, focusing on a concept of operations plan, tailored to each National Special Security Event, which establishes a framework for managing federal public health and medical assets and coordinating with state and local governments in an emergency, after

receiving testimony from Tommy G. Thompson, Secretary of Health and Human Services; Eric Tolbert, Director, Response Division, Federal Emergency Management Agency, and Andrew T. Mitchell, Deputy Director, Office for Domestic Preparedness, both of the Department of Homeland Security; Susan C. Waltman, Greater New York Hospital Association, New York; Michael Sellitto, District of Columbia Fire and Emergency Medical Services Department, Washington, D.C.; Ricardo Martinez, Medical Sports Group, Atlanta, Georgia, on behalf of the National Football League; and George E. Thibault, Partners Healthcare, Boston, Massachusetts.

BUSINESS MEETING

Committee on the Judiciary: Committee began mark up of S. 1700, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, but did not take final action thereon, and recessed subject to call.

COPYRIGHT PROTECTION

Committee on the Judiciary: Committee concluded a hearing to examine S. 2560, to amend chapter 5 of title 17, United States Code, relating to inducement of copyright infringement, after receiving testimony from Marybeth Peters, Register of Copyrights, U.S. Copyright Office, Library of Congress; Gary J. Shapiro, Consumer Electronics Association, Arlington, Virginia; Robert Holleyman, Business Software Alliance, Kevin S. McGuiness, NetCoalition, and Mitch Bainwol, Recording Industry Association of America, Washington, D.C.; and Andrew C. Greenberg, Institute of Electrical and Electronics Engineers-USA, New York, New York.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 10 public bills, H.R. 4892–5001; 3 private bills, H.R. 5002–5004; and 23 resolutions, H.J. Res. 101; H. Con. Res. 477–485, and H. Res. 741–753 were introduced. **Page 17349**

Additional Cosponsors: **Page 17355**

Reports Filed: Reports were filed today as follows:

H. Res. 699, directing the Secretary of State to transmit to the House of Representatives documents in the possession of the Secretary of State relating to the treatment of prisoners and detainees in Iraq, Afghanistan, and Guantanamo Bay, amended, adversely (H. Rept. 108–631);

H. Res. 689, a resolution of inquiry requesting the President and directing certain other Federal officials to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the President and those officials relating to the treatment of prisoners or detainees in Iraq, Afghanistan, or Guantanamo Bay, amended, adversely (H. Rept. 108–632);

Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2005 (H. Rept. 108–633); and

H.R. 4501, to extend the statutory license for secondary transmissions under section 119 of title 17, United States Code, and to amend the Communications Act of 1934 with respect to such transmissions (H. Rept. 108–634). **Page 17348**

Marriage Protection Act of 2003: The House passed H.R. 3313, to amend title 28, United States Code, to limit Federal court jurisdiction over questions under the Defense of Marriage Act, by a yea-and-nay vote of 233 yeas to 194 nays, Roll No. 410. **Page 17226**

Agreed to the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. **Page 17226**

H. Res. 734, the rule providing for consideration of the bill was agreed to by a voice vote. **Page 17207**

United States-Morocco Free Trade Implementation Act: The House passed H.R. 4842, to implement the United States-Morocco Free Trade Agreement, by a yea-and-nay vote of 323 yeas to 99 nays, Roll No. 413. **Page 17261**

Agreed to extend time for debate on the bill. **Page 17267**

H. Res. 738, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 345 yeas to 76 nays, Roll No. 407. **Page 17215**

Department of Defense Appropriations Act for FY05—Conference Report: The House agreed to the conference report to accompany H.R. 4613, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, by a yea-and-nay vote of 410 yeas to 12 nays, Roll No. 418. **Page 17323**

H. Res. 735, the rule providing for consideration of the conference report was agreed to by a voice vote. **Page 17299**

Military Construction Appropriations Act for FY05: The House passed H.R. 4837, making appropriations for

military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, by a yea-and-nay vote of 420 yeas to 1 nay, Roll No. 417. The bill was also considered on Wednesday, July 21. **Page 17308**

A point of order was sustained against the Obey motion to recommit the bill back to the Committee on Appropriations with instructions to report it back to the House forthwith with an amendment. **Page 17321**

Rejected the Obey motion to recommit the bill back to the Committee on Appropriations with instructions to report it back to the House promptly with an amendment, by a yea-and-nay vote of 201 yeas to 217 nays, Roll No. 416. **Page 17321**

Point of Order sustained against:

Section 129 of the bill regarding an increase in funds that is not subject to scoring for purposes of the Congressional Budget and Impoundment Control Act of 1974. **Page 17315**

Agreed to H. Res. 732, the rule providing for consideration of the bill was agreed to on Wednesday, July 21.

Suspensions: The House agreed to suspend the rules and pass the following measures that were previously debated:

Veterans' Compensation Cost-of-Living Adjustment Act of 2004: Debated on Tuesday, July 20: H.R. 4175, amended, to increase, effective as of December 1, 2004, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, by a ⅔ yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 408; **Page 17224**

Sense of the House regarding the postponement of Presidential elections due to terrorist actions: Debated on Tuesday, July 20: H. Res. 728, expressing the sense of the House of Representatives that the actions of terrorists will never cause the date of any Presidential election to be postponed and that no single individual or agency should be given the authority to postpone the date of a Presidential election, by a ⅔ yea-and-nay vote of 419 yeas to 2 nays, Roll No. 409; **Page 17225**

Commercial Aviation MANPADS Defense Act of 2004: Debated on Wednesday, July 21: H.R. 4056, amended, to encourage the establishment of both long-term and short-term programs to address the threat of man-portable air defense systems (MANPADS) to commercial aviation, by a ⅔ yea-and-nay vote of 423 yeas with none voting "nay", Roll No. 411; **Page 17259**

Urging the Government of the Republic of Belarus to ensure a democratic election process for its elections in the Fall of 2004: Debated on Wednesday, July 21: H. Res. 652, urging the Government of the Republic of Belarus to ensure a democratic, transparent, and fair election process for its parliamentary elections in the fall of 2004, by a ⅔ yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 412; **Page 17260**

Celebrating 10 years of majority rule in the Republic of South Africa: Debated on Wednesday, July 21: H. Con. Res. 436, amended, celebrating 10 years of majority rule in the Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country, by a ⅔ yea-and-nay vote of 422 yeas with none voting "nay", Roll No. 414; **Page 17297**

Recognizing the importance in history of the 150th anniversary of the establishment of diplomatic relations between the U.S. and Japan: Debated on Wednesday, July 21: H. Con. Res. 418, recognizing the importance in history of the 150th anniversary of the establishment of diplomatic relations between the United States and Japan, by a ⅔ yea-and-nay vote of 416 yeas with none voting "nay", Roll No. 415; **Page 17298**

Condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina in July 1994: Debated on Wednesday, July 21: H. Con. Res. 469, condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, in July 1994, by a ⅔ yea-and-nay vote of 422 yeas with none voting "nay", Roll No. 419; and **Page 17324**

Declaring genocide in Darfur, Sudan: Debated on Wednesday, July 21: H. Con. Res. 467, amended, declaring genocide in Darfur, Sudan, by a ⅔ yea-and-nay vote of 422 yeas with none voting "nay", Roll No. 420. **Page 17325**

Late Report: Agreed that the Committee on Science have until 5 p.m. on Friday, August 27 to file a report on H.R. 3551, to authorize appropriations to the Department of Transportation for surface transportation research and development. **Page 17261**

Tax Relief, Simplification, and Equity Act of 2003—Motion to Instruct Conferees: The House rejected the Stenholm motion to instruct conferees on H.R. 1308, to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit, by a yea-and-nay vote of 198 yeas to 222 nays, Roll No. 421. The motion was also considered on Tuesday, July 20. **Page 17325**

Committee Election: The House agreed to H. Res. 741, electing Representative Butterfield to the Committees on Agriculture and Small Business. **Page 17299**

Summer District Work Period: The House agreed to H. Con. Res. 479, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page 17326**

Expressing the condolences of the House of Representatives to the family and friends of Mattie Stepanek: The House agreed to H. Res. 695, expressing

the condolences of the House of Representatives to the family and friends of Mattie Stepanek on his passing, and honoring the life of Mattie Stepanek for his braveness, generosity of spirit, and efforts to raise awareness of muscular dystrophy. **Page 17327**

Member Resignation: Read a letter from Representative Bereuter wherein he announced his resignation from the House of Representatives, effective August 31, 2004. **Page 17328**

Recess: The House recessed at 9:35 p.m. and reconvened at 10:25 p.m. **Page 17329**

Extending programs funded under the Highway Trust Fund: The House agreed to discharge from the Committees on Transportation and Infrastructure, Ways and Means, Science, and Resources and pass by unanimous consent H.R. 4916, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century. **Page 17329**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, September 8. **Page 17334**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 4 p.m. on Monday, July 26, 2004, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 479, in which case the House shall stand adjourned pursuant to that concurrent resolution. **Page 17334**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Wolf, or if not available to perform this duty, Representative Tom Davis of Virginia to act as Speaker pro tempore to sign enrolled bills and joint resolutions through September 7, 2004. **Page 17334**

Preserving the ability of the FHA to insure mortgages under the National Housing Act: The House agreed to take from the Speaker's table and pass S. 2712, to preserve the ability of the Federal Housing Administration to insure mortgages under sections 238 and 519 of the National Housing Act. **Page 17343**

Senate Message: Message received from the Senate today appears on pages 17204, 17299, and 17341.

Senate Referral: S. 2249 was referred to the Committee on Financial Services; S. Con. Res. 125 was held at the desk; S. Con. Res. 130 was referred to the Committee on the Judiciary; and S. 2724 was referred to the Committee on Small Business. **Page 17346**

Quorum Calls—Votes: 15 yea-and-nay votes developed during the proceedings of today and appear on pages 17224–25, 17259–61, 17297–99, and 17322–26. There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 11:57 p.m., pursuant to the provisions of H. Con. Res. 479, stands adjourned until 4 p.m. on Monday, July 26, unless it sooner has received a message from the Senate transmitting its adoption of the concurrent resolution, in which case the House shall stand adjourned until 2 p.m. on Tuesday, September 7, 2004.

Committee Meetings

FOOD PROMOTION ACT

Committee on Agriculture: Ordered reported H.R. 4576, Food Promotion Act of 2004.

USDA'S NATIONAL ANIMAL IDENTIFICATION SYSTEM

Committee on Agriculture: Subcommittee on Livestock and Horticulture held a hearing to review the USDA's National Animal Identification System. Testimony was heard from John Clifford, Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, USDA; and public witnesses.

VA, HUD AND INDEPENDENT AGENCIES AND THE TRANSPORTATION, TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS FISCAL YEAR 2005

Committee on Appropriations: Ordered reported the following appropriations for fiscal year 2005: VA, HUD and Independent Agencies; and Transportation, Treasury and Independent Agencies.

ELECTROMAGNETIC PULSE ATTACK

Committee on Armed Services: Held a hearing on the Report of the Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) Attack. Testimony was heard from William R. Graham, Chairman, Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack.

SPACE CADRE/SPACE PROFESSIONALS

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on Space Cadre/Space Professionals. Testimony was heard from the following officials of the Department of Defense: Peter B. Teets, Under Secretary, Air Force, Space; GEN Lance Lord, USAF, Commander, Air Force Space Command; LTG Larry J. Dodgen, USA, Commander, Space and Missile Defense Command; and RADM James McArthur, USN, Commander, Navy Network Warfare Command; and public witnesses.

TAX CODE'S IMPACT ON REVENUE PROJECTIONS AND THE FEDERAL BUDGET

Committee on the Budget: Held a hearing on the U.S. Tax Code's Impact on Revenue Projections and the Federal Budget. Testimony was heard from Douglas J. Holtz-Eakin, Director, CBO; and public witnesses.

GENETIC NON-DISCRIMINATION

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing entitled "Genetic Non-Discrimination: Examining the Implications for Workers and Employers." Testimony was heard from public witnesses.

DC—SAFE DRINKING WATER

Committee on Energy and Commerce: Subcommittee on Environment and Hazardous Materials held a hearing entitled "Tapped Out? Lead in the District of Columbia and the Providing of Safe Drinking Water." Testimony was heard from the following officials of the EPA: Benjamin Grumbles, Acting Assistant Administrator, Water; and Don Welsh, Administrator, Region III; John Stephenson, Director, Natural Resources and Environment Team, GAO; Jerry N. Johnson, Executive Director, Water and Sewer Authority, District of Columbia; and public witnesses.

HEALTH INFORMATION TECHNOLOGY

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Health Information Technology: Improving Quality and Value of Patient Care." Testimony was heard from Tommy Thompson, Secretary of Health and Human Services; Robert M. Kolodner, M.D., Acting Chief, Health Informatics Officer and Deputy Chief Information Officer, Health, Department of Veterans Affairs; and public witnesses.

E-RATE PROGRAM INVESTIGATION

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Problems with the E-rate Program: Waste, Fraud, and Abuse Concerns in the Wiring of Our Nation's Schools to the Internet." Testimony was heard from William Maher, Chief, Wireline Competition Bureau, FCC; and public witnesses.

In refusing to give testimony at the hearing, the following individuals: Thomas J. Burger, President and CEO, NEC Unified Solutions, Inc.; William Holman, former Vice President of Sales, NEC Business Network Solutions; and George Marchelos, former E-rate Consultant and Salesperson, Video Network Communications, Inc., invoked Fifth Amendments privileges.

MARKET AND INVESTOR RECOVERY

Committee on Financial Services: Held a hearing entitled "Sarbanes-Oxley: Two Years of Market and Investor Recovery." Testimony was heard from public witnesses.

IRAQ—CONTRACTING AND REBUILDING

Committee on Government Reform: Continued hearings entitled "Contracting and the Rebuilding of Iraq: Part IV." Testimony was heard from public witnesses.

DRUGS AND SECURITY IN POST–9/11 WORLD

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources and the Subcommittee on Infrastructure and Border Security of the Select Committee on Homeland Security held a joint hearing entitled "Drugs and Security in a Post-9/11 World: Coordinating the Counternarcotics Mission at the Department of Homeland Security." Testimony was heard from the following officials of the Department of Homeland Security: Robert Bonner, Commissioner, U.S. Customs and Border Protection; ADM Thomas H. Collins, USCG, Commandant, U.S. Coast Guard; Michael J. Garcia, Assistant Secretary, U.S. Immigration and Customs Enforcement; and Roger Mackin, Counternarcotics Officer.

HORMONE REPLACEMENT THERAPY

Committee on Government Reform: Subcommittee on Human Rights and Wellness held a hearing entitled "Balancing Act: The Health Advantages of Naturally-Occurring Hormones in Hormone Replacement Therapy." Testimony was heard from Barbara Alving, M.D., Acting, Director, Heart, Lung, and Blood Institute, NIH, Department of Health and Human Services; and public witnesses

ESTABLISH—NATIONAL MUSEUM OF THE AMERICAN LATINO

Committee on House Administration: Held a hearing on H.R. 4863, To establish the Commission to Establish the National Museum of the American Latino to develop a plan of action for the establishment and maintenance within the Smithsonian Institution of the National Museum of the American Latino in Washington, DC. Testimony was heard from Representatives Ros-Lehtinen and Becerra; Lawrence M. Small, Secretary, Smithsonian Institution; and pubic witnesses.

DEMOCRATIC REPUBLIC OF CONGO PEACE ACCORDS

Committee on International Relations: Subcommittee on Africa held a hearing on The Democratic Republic of Congo Peace Accords: One Year Later. Testimony was heard from Constance Berry Newman, Assistant Secretary, Bureau of African Affairs, Department of State; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on the following bills: H.R. 822, Wild Sky Wilderness Act of 2003; H.R. 4806, Pine Springs Land Exchange Act; and H.R. 4838, Health Forest Youth Conservation Corps Act of 2004. Testimony was heard from Representative Larsen of Washington and Neugebauer; Mark Rey, Under Secretary, Natural Resources and Environment, USDA; and public witnesses.

SMALL BUSINESS LIABILITY REFORM

Committee on Small Business: Subcommittee on Regulatory Reform and Oversight held a hearing on Small Business Liability Reform. Testimony was heard from Representative Chabot; and public witnesses.

OVERSIGHT—EVERGLADES RESTORATION PLAN

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held an oversight hearing on Comprehensive Everglades Restoration Plan—The First Major Projects. Testimony was heard from Representative Foley; COL Robert M. Carpenter, Commander, Jacksonville District, U.S. Army Corps of Engineers, Department of the Army; Ernest Barnett, Director, Ecosystem Projects, Department of Environmental Protection, State of Florida; and public witnesses.

VA-DoD COLLABORATION—CARE OF VETERANS

Committee on Veterans' Affairs: Held a hearing on the evolution of VA-DoD collaboration in research and amputee care for veterans of current and past conflicts, and needed reforms in VA blind rehabilitation services. Testimony was heard from Cynthia A. Bascetta, Director, Veterans' Health and Benefits Issues, GAO; the following officials of the Department of Veterans Affairs; Michael J. Kussman, M.D., Acting Deputy Under Secretary, Health; Mindy L. Aisen, M.D., Deputy Chief, Research and Development Officer; and Frederick Downs, Jr., Chief Consultant, Prosthetic and Sensory Aids Service Strategic Healthcare Group; the following officials of the Department of Defense: Brett P. Giroir, M.D., Deputy Director, Defense Sciences Office, Defense Advanced Research Projects Agency; LTC Paul Pasquina, M.D., USA, Chief, Physical Medicine and Rehabilitation, and Chuck Scoville, Program Manager, U.S. Amputee Patient Care, both with the Walter Reed Army Medical Center; representatives of veterans organizations; and public witnesses.

ELECTRONIC PRESCRIBING

Committee on Ways and Means: Subcommittee on Health held a hearing on Electronic Prescribing. Testimony was heard from public witnesses.

BRIEFING: INTELLIGENCE COMMUNITY TECHNOLOGICAL SUPERIORITY

Permanent Select Committee on Intelligence: Subcommittee on Technical and Tactical Intelligence met in executive session to receive a Briefing: Technological Superiority in the Intelligence Community. The Subcommittee was briefed by departmental witnesses.

BRIEFING: NATIONAL CONVENTIONS AND OLYMPICS THREATS

Permanent Select Committee on Intelligence: Subcommittee on Terrorism and Homeland Security met in executive session to receive a Briefing: Threats to the National Conventions and the Olympics. The Subcommittee was briefed by departmental witnesses.

BRIEFING: PORT SECURITY

Permanent Select Committee on Intelligence: Subcommittee on Terrorism and Homeland Security met in executive session to receive a Briefing: Port Security. The Subcommittee was briefed by departmental witnesses.

Joint Meetings

POSTPONEMENT OF ILLNESS

Joint Economic Committee: Committee concluded a hearing to examine long-term trends in the health status and health spending levels of elderly Americans, focusing on evidence regarding declining rates of chronic disability and assess the best opportunities for further health promotion, after receiving testimony from James Lubitz, Acting Chief, Aging and Chronic Diseases, Statistics Branch, National Center for Health Statistics, Centers for Disease Control and Prevention, Department of Health and Human Services; Kenneth G. Manton, Duke University Center for Demographic Studies, Durham, North Carolina; James F. Fries, Stanford University School of Medicine, Stanford, California; and Judith Feder, Georgetown University Public Policy Institute, Washington, D.C.

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Tuesday, September 7, 2004

Senate

Chamber Action

Routine Proceedings, pages 17418–17534

Measures Introduced: Four bills were introduced as follows: S. 2774–2777. **Page 17469**

Measures Reported: Reported on Wednesday, August 25, during the adjournment:

S. 2495, to strike limitations on funding and extend the period of authorization for certain coastal wetland conservation projects. (S. Rept. No. 108–312)

S. 2547, to amend the Migratory Bird Treaty Act to exclude non-native migratory bird species from the application of that Act. (S. Rept. No. 108–313)

S. 2773, to provide for the consideration and development of water and related resources, to authorize the Sec-

retary of the Army to construct various projects for improvements to rivers and harbors of the United States. (S. Rept. No. 108–314)

H.R. 2408, To amend the Fish and Wildlife Act of 1956 to reauthorize volunteer programs and community partnerships for national wildlife refuges and for other purposes. (S. Rept. No. 108–315)

Report to accompany S. 2610, to implement the United States-Australia Free Trade Agreement. (S. Rept. No. 108–316)

Report to accompany S. 2677, to implement the United States-Morocco Free Trade Agreement. (S. Rept. No. 108–317)

S. 2468, to reform the postal laws of the United States, with an amendment in the nature of a substitute. (S. Rept. No. 108–318)

S. 203, to open certain withdrawn land in Big Horn County, Wyoming, to locatable mineral development for bentonite mining, with an amendment in the nature of a substitute. (S. Rept. No. 108–319)

S. 931, to direct the Secretary of the Interior to undertake a program to reduce the risks from and mitigate the effects of avalanches on visitors to units of the National Park System and on other recreational users of public land, with an amendment in the nature of a substitute. (S. Rept. No. 108–320)

S. 2052, to amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail, with an amendment in the nature of a substitute. (S. Rept. No. 108–321)

S. 2167, to establish the Lewis and Clark National Historical Park in the States of Washington and Oregon, with amendments. (S. Rept. No. 108–322)

S. 2173, to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000, with an amendment in the nature of a substitute. (S. Rept. No. 108–323)

S. 2285, to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah, with an amendment in the nature of a substitute. (S. Rept. No. 108–324)

S. 2287, to adjust the boundary of the Barataria Preserve Unit of Jean Lafitte National Historical Park and Preserve in the State of Louisiana, with amendments. (S. Rept. No. 108–325)

S. 2460, to provide assistance to the State of New Mexico for the development of comprehensive State water plans, with an amendment in the nature of a substitute. (S. Rept. No. 108–326)

S. 2508, to redesignate the Ridges Basin Reservoir, Colorado, as Lake Nighthorse, with an amendment. (S. Rept. No. 108–327)

S. 2511, to direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico, with an amendment in the nature of a substitute. (S. Rept. No. 108–328)

S. 2543, to establish a program and criteria for National Heritage Areas in the United States, with an amendment in the nature of a substitute. (S. Rept. No. 108–329)

H.R. 265, to provide for an adjustment of the boundaries of Mount Rainier National Park. (S. Rept. No. 108–330)

H.R. 1284, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to increase the Federal share of the costs of the San Gabriel Basin demonstration project, with an amendment. (S. Rept. No. 108–331)

H.R. 1616, to authorize the exchange of certain lands within the Martin Luther King, Junior, National Historic Site for lands owned by the City of Atlanta, Georgia. (S. Rept. No. 108–332)

H.R. 3768, to expand the Timucuan Ecological and Historic Preserve, Florida. (S. Rept. No. 108–333)

Report to accompany S.J. Res. 4, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States. (S. Rept. No. 108–334)

Reported on today:

S. 2382, to establish grant programs for the development of telecommunications capacities in Indian country, with an amendment in the nature of a substitute. (S. Rept. No. 108–335) **Page 17469**

Measures Passed:

Emergency Supplemental Appropriations: Pursuant to the order of September 7, 2004, Senate passed H.R. 5005, making emergency supplemental appropriations for the fiscal year ending September 30, 2004, for additional disaster assistance, clearing the measure for the President.

Emergency Supplemental Appropriations—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the adjournment of the Senate, the Senate may receive from the House of Representatives the supplemental appropriations bill (H.R. 5005), that the Senate proceed to its consideration, the bill be read a third time and passed. **Page 17447**

Homeland Security Appropriations—Agreement: A unanimous-consent agreement was reached providing that on Wednesday, September 8, 2004, at 11:30 a.m, Senate proceed to consideration of H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, that all after the enacting clause be stricken and the text of S. 2537, Senate companion measure, be inserted in lieu thereof and considered as original text for the purpose of further amendment; that no points of order be waived by virtue of this agreement; that the only first-degree amendments in order be related to the text of the bill, homeland security, natural disasters, or government security contracts,

and that they be subject to relevant second-degree amendments; and that following passage of the bill, the Senate insist on its amendment, request a conference with the House thereon, and the Chair be authorized to appoint conferees on the part of the Senate. **Pages 17448, 17533**

Signing Authority Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, Senator Talent be authorized to sign duly enrolled bills or joint resolutions. **Page 17533**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the notification of the President's intention to designate Iraq as a beneficiary developing country for purposes of the Generalized System of Preferences; which was referred to the Committee on Finance. (PM–92) **Page 17468**

Appointments:

Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108–199, Title VI, Section 637, appointed the following individual to serve as a member of the Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission: Thomas Chandler Kleine of Virginia. **Page 17533**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 91 yeas (Vote No. Ex. 164), Virginia Maria Hernandez Covington, of Florida, to be United States District Judge for the Middle District of Florida. **Pages 17439, 17534**

By 92 yeas 1 nay (Vote No. Ex. 165), Michael H. Schneider, Sr., of Texas, to be United States District Judge for the Eastern District of Texas. **Pages 17439, 17534**

Michael H. Watson, of Ohio, to be United States District Judge for the Southern District of Ohio. **Pages 17445, 17534**

Nominations Received: Senate received the following nominations:

D. Michael Rappoport, of Arizona, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for a term expiring October 6, 2008. (Reappointment)

Paul A. Crotty, of New York, to be United States District Judge for the Southern District of New York.

Porter J. Goss, of Florida, to be Director of Central Intelligence.

9 Air Force nominations in the rank of general.

16 Army nominations in the rank of general.

7 Coast Guard nominations in the rank of admiral.

1 Marine Corps nomination in the rank of general.

6 Navy nominations in the rank of admiral.

A routine list in the Coast Guard. **Page 17534**

Messages From the House: **Page 17461**

Measures Referred: **Page 17461**

Measures Placed on Calendar: **Page 17461**

Measures Read First Time: **Page 17461**

Enrolled Bills Presented: **Page 17460**

Executive Communications: **Page 17461**

Additional Cosponsors: **Page 17469**

Statements on Introduced Bills/Resolutions: **Page 17472**

Additional Statements: **Page 17456**

Amendments Submitted: **Page 17526**

Notices of Hearings/Meetings: **Page 17529**

Authority for Committees to Meet: **Page 17530**

Privilege of the Floor: **Page 17530**

Record Votes: Two record votes were taken today. (Total—165) **Pages 17444, 17445**

Adjournment: Senate convened at 12:09 p.m., and adjourned at 8:07 p.m., until 10:30 a.m., on Wednesday, September 8, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 17533.)

Committee Meetings

INTELLIGENCE REFORM

Committee on Armed Services: On Monday, August 16, Committee concluded a hearing to examine implications for the Department of Defense and military operations of proposals to reorganize the United States Intelligence Community, after receiving testimony from James R. Schlesinger, Mitre Corporation, McLean, Virginia, former Secretary of Defense; Frank C. Carlucci, Carlisle Group, Scranton, Pennsylvania, former Secretary of Defense; and John J. Hamre, Center for Strategic and International Studies, Washington, D.C., former Deputy Secretary of Defense.

Committee will meet again tomorrow.

INTELLIGENCE REFORM

Committee on Armed Services: On Tuesday, August 17, Committee concluded hearings to examine implications for the Department of Defense and military operations of proposals to reorganize the United States Intelligence Community, after receiving testimony from Donald H. Rumsfeld, Secretary of Defense, Stephen A. Cambone, Under Secretary for Intelligence, and Gen. Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff, all of the Department of Defense; and John E. McLaughlin, Acting Director of Central Intelligence.

JONES-FAY INVESTIGATION RESULTS

Committee on Armed Services: On Wednesday, August 25, committee met in closed session to receive a briefing on the results of the Jones-Fay investigation of the 205th Military Intelligence Brigade of Abu Ghraib Prison in Iraq from Gen. Paul J. Kern, USA, Commanding General, United States Army Materiel Command; Lt. Gen. Anthony R. Jones, USA, Deputy Commanding General, Chief of Staff, United States Army Training and Doctrine Command; and Maj. Gen. George R. Fay, USA, Deputy Commander, United States Army Intelligence and Security Command.

TRANSPORTATION SECURITY REFORM

Committee on Commerce, Science, and Transportation: On Monday, August 16, Committee concluded a hearing to examine the 9/11 Commission recommendations, focusing on areas within the committee's jurisdiction, including transportation security, communications and technology, after receiving testimony from Asa Hutchinson, Under Secretary of Homeland Security for Border and Transportation Security; and Thomas H. Kean, Chair, and Lee H. Hamilton, Vice Chair, both of National Commission on Terrorist Attacks Upon the United States.

INTELLIGENCE REFORM

Committee on Governmental Affairs: On Friday, July 30, Committee held hearings to examine the recommendations of the 9/11 Commission relating, focusing on the restructuring of the national intelligence community, receiving testimony from Thomas H. Kean, Chair, and Lee H. Hamilton, Vice Chair, both of the National Commission on Terrorist Attacks Upon the United States (9/11 Commission).

Committee will meet again on Tuesday, August 3.

INTELLIGENCE REFORM

Committee on Governmental Affairs: On Tuesday, August 3, Committee resumed hearings to examine the recommendations of the 9/11 Commission, focusing on the reorganization of the Executive Branch, including the creation of the National Counterterrorism Center, a centralized organization to integrate terrorist threat information, receiving testimony from John O. Brennan, Director, Terrorist Threat Integration Center; John S. Pistole, Executive Assistant Director, Counterterrorism/Counterintelligence, Federal Bureau of Investigation, Department of Justice; Lt. Gen. Patrick M. Hughes, USA (Ret.), Assistant Secretary of Homeland Security for Information Analysis; Philip Mudd, Deputy Director, Counterterrorism Center, Central Intelligence Agency; and Philip Zelikow, Executive Director, and Christopher Kojm, Deputy Executive Director, both of the National Commission on Terrorist Attacks Upon the United States (9/11 Commission).

Committee will meet again on Monday, August 16.

INTELLIGENCE REFORM

Committee on Governmental Affairs: On Monday, August 16, Committee resumed hearings to examine the recommendations of the 9/11 Commission, focusing on the restructuring of the intelligence community, receiving testimony from William H. Webster, Milbank, Tweed, Hadley, & McCloy, LLP, and R. James Woolsey, Booz Allen Hamilton, both of Washington, DC, and Stansfield Turner, University of Maryland School of Public Policy, College Park, Maryland, each a former Director of Central Intelligence.

Committee will meet again tomorrow.

INTELLIGENCE REFORM

Committee on Governmental Affairs: On Tuesday, August 17, Committee continued hearings to examine the recommendations of the 9/11 Commission, focusing on the families of the victims of the September 11, 2001 terrorist attacks, receiving testimony from Mary Fetchet, 9/11 Family Steering Committee and the Voices of September 11th, New Canaan, Connecticut; Stephen Push, Families of September 11, New York, New York; and Kristin Breitweiser, September 11th Advocates, Middletown Township, New Jersey.

Committee will meet again on Thursday, August 26.

INTELLIGENCE REFORM

Committee on Governmental Affairs: On Thursday, August 26, Committee resumed hearings in closed session to examine the recommendations of the 9/11 Commission, focusing on certain intelligence reform issues, receiving testimony from Stephen A. Cambone, Under Secretary for Intelligence, and Lt. Gen. Norton A. Schwartz, Director for Operations, J–3, Joint Staff, both of the Department of Defense; Larry C. Kindsvater, Deputy Director of Central Intelligence for Community Management; Arthur Cummings, Section Chief, International Terrorism Operations Section I, Counterterrorism Division, Federal Bureau of Investigation, Department of Justice; and a certain classified official of the intelligence community.

Committee will meet again on Wednesday, September 8.

FEDERAL LAW ENFORCEMENT AND BORDER SECURITY

Committee on the Judiciary: On Thursday, August 19, Committee concluded hearings to examine the 9/11 Commission recommendations, focusing on law enforcement, border security and the USA PATRIOT Act, after receiving testimony from Asa Hutchinson, Under Secretary of Homeland Security for Border and Transportation Security; Maureen A. Baginski, Executive Assistant Director, Intelligence, Federal Bureau of Investigation, Department of Justice; and Lee Hamilton, Vice Chair, and Slade Gorton, Commissioner, both of the National Commission on Terrorist Attacks Upon the United States (9/11 Commission).

INTELLIGENCE REFORM

Select Committee on Intelligence: Committee held hearings to examine ways to implement the 9/11 Commission recommendations for intelligence reform, receiving testimony from Thomas H. Kean, Chair, Lee H. Hamilton, Vice Chair, and John F. Lehman, Member, all of the National Commission on Terrorist Attacks Upon the United States (9/11 Commission).

House of Representatives

Chamber Action

Measures Introduced: 19 public bills, H.R. 5005–5023; and 3 resolutions, H. Con. Res. 486–487, and H. Res. 755, were introduced. **Page 17582**

Additional Cosponsors: **Page 17583**

Reports Filed: Reports were filed as follows:

Omitted from the Record of July 22, 2004: H.R. 3143, to enhance Federal Trade Commission enforcement against cross-border fraud and deception referred jointly and sequentially to the House Committee on Financial Services for a period ending not later than Oct. 1, 2004 for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(g), rule X (H. Rept. 108–635, Pt. 1);

H.R. 5006, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005 (H. Rept. 108–636);

H.R. 2129, to direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System, amended (H. Rept. 108–637);

H.R. 2400, to amend the Organic Act of Guam for the purposes of clarifying the local judicial structure of Guam (H. Rept. 108–638);

H.R. 2457, to authorize funds for an educational center for the Castillo de San Marcos National Monument, amended (H. Rept. 108–639);

H.R. 2663, to authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System (H. Rept. 108–640);

H.R. 3056, to clarify the boundaries of the John H. Chafee Coast Barrier Resources System Cedar Keys Unit P25 on Otherwise Protected Area P25P, amended (H. Rept. 108–641);

H.R. 3257, to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of establishing the Western Reserve Heritage Area, amended (H. Rept. 108–642);

H.R. 3334, to authorize the Secretary of the Interior to participate in the design and construction of the Riverside-Corona Feeder in cooperation with the Western Municipal Water District of Riverside, California, amended (H. Rept. 108–643);

H.R. 3427, to authorize a land conveyance between the United States and the City of Craig, Alaska, amended (H. Rept. 108–644);

H.R. 3589, to create the Office of Chief Financial Officer of the Government of the Virgin Islands, amended (H. Rept. 108–645);

H.R. 3597, to authorize the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study on the Alder Creek water storage and conservation project in El Dorado County, California, amended (H. Rept. 108–646);

H.R. 3954, to authorize the Secretary of the Interior to resolve boundary discrepancies in San Diego County, California, arising from an erroneous survey conducted by a Government contractor in 1881 that resulted in overlapping boundaries for certain lands, amended (H. Rept. 108–647);

H.R. 4010, to reauthorize and amend the National Geologic Mapping Act of 1992 (H. Rept. 108–648);

H.R. 4045, to authorize the Secretary of the Interior to prepare a feasibility study with respect to the Mokelumne River, amended (H. Rept. 108–649);

H.R. 4459, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, (H. Rept. 108–650);

H.R. 4481, to amend Public Law 86–434 establishing Wilson's Creek National Battlefield in the State of Missouri to expand the boundaries of the park, amended (H. Rept. 108–651);

H.R. 4494, to designate the Grey Towers National Historic Site in the Commonwealth of Pennsylvania, amended (H. Rept. 108–652);

S. 943, to authorize the Secretary of the Interior to enter into 1 or more contracts with the city of Cheyenne, Wyoming, for the storage of water in the Kendrick Project, Wyoming (H. Rept. 108–653);

S. 1537, to direct the Secretary of Agriculture to convey to the New Hope Cemetery Association certain land in the State of Arkansas for use as a cemetery (H. Rept. 108–654);

S. 1576, to revise the boundary of Harpers Ferry National Historical Park (H. Rept. 108–655);

S. 1721, to amend the Indian Land Consolidation Act to improve provisions relating to probate of trust and restricted land (H. Rept. 108–656);

H. Res. 431, honoring the achievements of Siegfried and Roy, recognizing the impact of their efforts on the conservation of endangered species both domestically and

worldwide, and wishing Roy Horn a full and speedy recovery (H. Rept. 108–657);

H. Res. 700, directing the Attorney General to transmit to the House of Representatives documents in the possession of the Attorney General relating to the treatment of prisoners and detainees in Iraq, Afghanistan, and Guantanamo Bay, amended, adversely (H. Rept. 108–658);

H.R. 4496, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to strengthen and improve programs under that Act, amended (H. Rept. 108–659);

H.R. 4518, to extend the statutory license for secondary transmissions under section 119 of title 17, United States Code, amended (H. Rept. 108–660);

H. Res. 754, providing for consideration of H.R. 5006, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005 (H. Rept. 108–661); and

H.R. 3551, to authorize appropriations to the Department of Transportation for surface transportation research and development, amended (H. Rept. 108–662, Pt. 1). **Page 17581**

Resignation from the Democratic Caucus: Read a letter from Representative Menendez wherein he announced that Representative Alexander has ceased to be a member of the Democratic Caucus. **Page 17535**

Committee Election Vacated: Read a letter from the Speaker wherein he announced that Representative Alexander's election to the Committee on Agriculture had been vacated effective August 9, 2004. **Page 17536**

Committee Election Vacated: Read a letter from the Speaker wherein he announced that Representative Alexander's election to the Committee on Armed Services had been vacated effective August 9, 2004. **Page 17536**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Guardians of Freedom Memorial Post Office Building Designation Act: H.R. 4442, to designate the facility of the United States Postal Service located at 1050 North Hills Boulevard in Reno, Nevada, as the "Guardians of Freedom Memorial Post Office Building" and to authorize the installation of a plaque at such site; **Page 17544**

Harvey and Bernice Jones Post Office Building Designation Act: H.R. 4381, to designate the facility of the United States Postal Service located at 2811 Springdale Avenue in Springdale, Arkansas, as the "Harvey and Bernice Jones Post Office Building", by a ⅔ yea-and-nay vote of 382 yeas with none voting "nay" and one voting "present", Roll No. 422; **Pages 17545, 17551**

Anthony I. Lombardi Memorial Post Office Building Designation Act: H.R. 4618, to designate the facility of the United States Postal Service located at 10 West Prospect Street in Nanuet, New York, as the "Anthony I. Lombardi Memorial Post Office Building"; **Page 17546**

General William Carey Lee Post Office Building Designation Act: H.R. 4556, to designate the facility of the United States Postal Service located at 1115 South Clinton Avenue in Dunn, North Carolina, as the "General William Carey Lee Post Office Building", by a ⅔ yea-and-nay vote of 380 yeas with none voting "nay" and one voting "present", Roll No. 423; **Pages 17547, 17552**

Reauthorizing the Tropical Forest Conservation Act of 1998 through FY07: H.R. 4654, to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2007; and **Page 17548**

Emergency Supplemental Appropriations for Disaster Relief Act: H.R. 5005, making emergency supplemental appropriations for the fiscal year ending September 30, 2004, for additional disaster assistance. **Page 17553**

Recess: The House recessed at 3:13 p.m. and reconvened at 6:30 p.m. **Page 17551**

Tax Relief, Simplification, and Equity Act of 2003—Motion to Instruct Conferees: Representative Hill announced his intention to offer a motion to instruct conferees on H.R. 1308, to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit. **Page 17553**

Presidential Message: Read a message from the President wherein he transmits a copy of a Proclamation he has issued entitled, "To Modify the Generalized System of Preferences and for Other Purposes'—referred to the Committee on Ways and Means and ordered printed (H. Doc. 108–211). **Page 17565**

Senate Messages: Messages received from the Senate today appear on pages 17535 and 17565.

Senate Referrals: S. 2682 was referred to the Committee on Government Reform; S. Con. Res. 109 was referred to the Committee on International Relations; S. Con. Res. 135 and S.J. Res. 41 were referred to the Committee on House Administration; S. 720, S. 2501, S. 2640, S. Con. Res. 81, S. Con. Res. 106, S. Con. Res. 112, S. Con. Res. 126, and S. Con. Res. 133 were held at the desk. **Page 17578**

Quorum Calls—Votes: Two yea and nay votes developed during the proceedings of today and appear on pages 17551 and 17552. There were no quorum calls.

Amendments: Amendments ordered printed pursuant to the rule appear on page 17584.

Adjournment: The House met at 2 p.m. and adjourned at 10:58 p.m.

Committee Meetings

9/11 COMMISSION RECOMMENDATIONS—DEPARTMENT OF DEFENSE IMPLICATIONS

Committee on Armed Services: On August 11, the Committee held a hearing on the implications of the recommendations of the 9/11 Commission on the Department of Defense. Testimony was heard from the following officials of the Department of Defense: Stephen A. Cambone, Under Secretary, Intelligence; VADM Lowell E. Jacoby, USN, Director, DIA; and MG Raymond T. Odierno, USA, former Commander, Fourth Infantry Division; the following former officials of the Department of Defense: LTG William E. Odom, USA (Ret.), Director, NSA; and John J. Hamre, Deputy Secretary; and Lowell Wood, Senior Scientist, Lawrence Livermore National Laboratory.

9/11 COMMISSION REPORT

Committee on Armed Services: On August 10, the Committee held a hearing on the final report of the National Commission Terrorist Attacks Upon the United States. Testimony was heard from the following officials of the 9/11 Commission: Thomas H. Kean, Chairman; and Lee H. Hamilton, Vice Chairman.

DENYING TERRORISTS SANCTUARIES

Committee on Armed Services: On August 10, the Committee also held a hearing on Denying Terrorist Sanctuaries: Policy and Operational Implications for the U.S. Military. Testimony was heard from the following officials of the Department of Defense: Paul D. Wolfowitz, Deputy Secretary; GEN Peter Pace, USMC, Vice Chairman, Joint Chiefs of Staff; and GEN Bryan D. Brown, USA, Commander, U.S. Special Operations Command.

"THE 9/11 COMMISSION REPORT: IDENTIFYING AND PREVENTING TERRORIST FINANCING"

Committee on Financial Services: On August 23, the Committee held a hearing entitled "The 9/11 Commission Report: Identifying and Preventing Terrorist Financing." Testimony was heard from Lee H. Hamilton, Vice Chairman, National Commission on Terrorist Attacks Upon the United States; Stuart A. Levey, Under Secretary, Office of Terrorism and Financial Intelligence, Department of the Treasury; Frank Libutti, Under Secretary, Information Analysis and Infrastructure Protection, Department of Homeland Security; and Barry Sabin, Chief, Counterterrorism Section, Department of Justice.

"TOO MANY SECRETS, OVERCLASSIFICATION AS A BARRIER TO CRITICAL INFORMATION SHARING"

Committee on Government Reform: On August 24, the Subcommittee on National Security Emerging Threats and International Relations held a hearing entitled "Too Many Secrets, Overclassification as a Barrier to Critical Information Sharing." Testimony was heard from William Leonard, Director, Information Security Oversight Office, National Archives and Records Administration; Carol Haave, Office of the Under Secretary for Intelligence, Department of Defense; and public witnesses.

"THE 9/11 COMMISSION RECOMMENDATIONS ON PUBLIC DIPLOMACY: DEFENDING IDEALS AND DEFINING THE MESSAGE"

Committee on Government Reform: On August 23, the Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "The 9/11 Commission Recommendations on Public Diplomacy: Defending Ideals and Defining the Message." Testimony was heard from the following officials of the National Commission on Terrorist Attacks Upon the United States: Thomas H. Kean, Chairman; and Jamie S. Gorelick, Commissioner; the following officials of the Department of State; Patricia de Stacy Harrison, Acting Under Secretary, Public Diplomacy and Public Affairs; Charles Evers III, Commissioner, Advisory Commission on Public Diplomacy; and Kenneth Y. Tomlinson, Chairman, Broadcasting Board of Governors, USIA; Jess T. Ford, Director, International Affairs and Trade, GAO; Charlotte Beers, former Under Secretary, Public Diplomacy and Public Affairs, Department of State; and public witnesses.

REVIEW 9/11 COMMISSION'S RECOMMENDATIONS

Committee on Government Reform: On August 3, the Committee held a hearing entitled "Need to Know" to "Need to Share:" A Review of the 9/11 Commission's Recommendations." Testimony was heard from the following Commissioners of the National Commission on Terrorist Attacks on the United States: Bob Kerrey; and John F. Lehman; David M. Walker, Comptroller General, GAO; the following family members of victims of September 11, 2001: Beverly Eckert; Sally Regenhard; and Robin Wiener; and public witnesses.

9/11 COMMISSION RECOMMENDATIONS FOR U.S. DIPLOMACY

Committee on International Relations: On August 24, the Committee held a hearing on 9/11 Commission Recommendations for U.S. Diplomacy. Testimony was heard from the following officials of the 9/11 Commission: Thomas H. Kean, Chairman; and Lee H. Hamilton, Vice Chairman.

DIPLOMACY IN THE AGE OF TERRORISM: WHAT IS THE STATE DEPARTMENT'S STRATEGY?

Committee on International Relations: On August 19, the Committee held a hearing on Diplomacy in the Age of Terrorism: What is the State Department's Strategy? Testimony was heard from the following officials of the National Commission on Terrorist Attacks Upon the United

States: Christopher A. Kojm, Deputy Executive Director; and Susan Ginsburg, Senior Counsel and Team Leader for Border Security and Foreign Visitors; and the following officials of the Department of State: Patricia de Stacy Harrison, Acting Under Secretary, Public Diplomacy and Public Affairs and Assistant Secretary, Bureau of Educational and Cultural Affairs; Ambassador J. Cofer Black, Coordinator, Counterterrorism; Francis X. Taylor, Assistant Secretary, Bureau of Diplomatic Security and Director, Office of Foreign Missions; Maura Harty, Assistant Secretary, Bureau of Consular Affairs; Earl Anthony Wayne, Assistant Secretary, Bureau of Economic and Business Affairs; Christina B. Rocca, Assistant Secretary, Bureau of South Asian Affairs; Carol Rodley, Principal Deputy Assistant Secretary, Bureau of Intelligence and Research; James W. Swigert, Principal Deputy Assistant Secretary, Bureau of International Organization Affairs; and David M. Satterfield, Deputy Assistant Secretary, Bureau of Near Eastern Affairs.

OVERSIGHT—RECOMMENDATIONS OF THE 9/11 COMMISSION

Committee on the Judiciary: On August 23, the Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on the Recommendations of the 9/11 Commission. Testimony was heard from Christopher A. Kojm, Deputy Executive Director, National Commission on Terrorist Attacks Upon the United States; John S. Pistole, Executive Assistant Director, Counterterrorism and Counterintelligence, FBI, Department of Justice; John O. Brennan, Director, Terrorist Threat Integration Center; and a public witness.

OVERSIGHT—PRIVACY AND CIVIL LIBERTIES POST 9/11: RECOMMENDATIONS OF THE COMMISSION AND THE DOD TECHNOLOGY AND PRIVACY ADVISORY COMMITTEE

Committee on the Judiciary: On August 20, the Subcommittee on Commercial and Administrative Law and the Subcommittee on the Constitution held a joint hearing on Privacy and Civil Liberties in the Hands of the Government Post-September 11, 2001; Recommendations of the 9/11 Commission and the U.S. Department of Defense Technology and Privacy Advisory Committee. Testimony was heard from the following officials of the National Commission on Terrorist Attacks Upon the United States: Lee H. Hamilton, Vice Chairman; and Slade Gorton, Commissioner; John O. Marsh, Jr., member, Technology and Privacy Advisory Committee, Department of Defense; and Nuala O'Connor Kelly, Chief Privacy Officer, Department of Homeland Security.

OVERSIGHT—REGULATORY ASPECTS OF VOICE OVER THE INTERNET PROTOCOL

Committee on the Judiciary: On July 23, the Subcommittee on Commercial and Administrative Law held an oversight hearing on Regulatory Aspects of Voice Over the Internet Protocol (VoIP). Testimony has heard from Robert Pepper, Chief, Policy Development, Office of Strategic Planning and Policy Analysis, FCC; Stephen M. Cordi, Deputy Comptroller of the Treasury, State of Maryland; and public witnesses.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS FISCAL YEAR 2005

Committee on Rules: Granted, by voice vote, an open rule providing one hour of general debate on H.R. 5006, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005, and for other purposes, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Wamp, LoBiondo, and Lowey.

9/11 COMMISSION REPORT: AVIATION SECURITY RECOMMENDATIONS

Committee on Transportation and Infrastructure: On August 25, the Subcommittee on Aviation held an oversight hearing on the 9/11 Commission Report: Review of Aviation Security Recommendations. Testimony was heard from John F. Lehman, Commissioner, National Commission on Terrorist Attacks Upon the United States; David M. Stone, Administrator, Transportation Security Administration, Department of Homeland Security; and public witnesses.

9/11 COMMISSION REPORT AND MARITIME TRANSPORTATION SECURITY

Committee on Transportation and Infrastructure: On August 25, the Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing on the 9/11 Commission Report and Maritime Transportation Security. Testimony was heard from the following Commissioners of the National Commission on Terrorist Attacks Upon the United States: John F. Lehman; and Jamie S. Gorelick; RADM Larry Hereth, USCG, Director of Port Security, U.S. Coast Guard, Department of Homeland Security; and a public witness.

THREE YEARS AFTER 9/11: VA'S ROLE IN HOMELAND SECURITY AND MEDICAL PREPAREDNESS

Committee on Veterans' Affairs: On August 26, the Committee held a hearing on Three Years After 9/11: Is the Nation Medically Prepared? What Should Be VA's Role in Preventing and Responding to National Medical Emergencies and Terrorist Attacks? Testimony was heard from the following officials of the Department of Veterans Affairs: Gordon H. Mansfield, Deputy Secretary, Department of Veterans Affairs; and Karl Y. Hostetler, M.D., San Diego Healthcare System; MG Lester Martinez-Lopez, USA, Commanding General, U.S. Army Medical Research and Materiel Command at Fort Detrick, Department of Defense; Stewart Simonson, Assistant Secretary, Public Health Emergency Preparedness, Department of Health and Human Services; and public witnesses.

9/11 COMMISSION RECOMMENDATIONS: INTELLIGENCE COMMUNITY OPERATIONAL CONSIDERATIONS

Permanent Select Committee on Intelligence: On August 18, the Committee met in executive session to hold a hearing on 9/11 Commission Recommendations: Intelligence Community Operational Considerations. Testimony was heard from John E. McLaughlin, Acting Director, CIA; the following officials of the Department of Defense: Stephen A. Cambone, Under Secretary, Intelligence; LTG Michael V. Hayden, USAF, Director, NSA; and VADM Lowell E. Jacoby, USN, Director, DIA; Peter Teets, Director, National Reconnaissance Office; LTG James Clapper, USA, Director, National Geospatial-Intelligence Agency; and John S. Pistiole, Executive Assistant Director, Counterterrorism and Counterintelligence, FBI, Department of Justice.

9/11 COMMISSION RECOMMENDATIONS: SUFFICIENCY OF TIME, ATTENTION, AND LEGAL AUTHORITY

Permanent Select Committee on Intelligence: On August 11, the Committee held a hearing on 9/11 Commission Recommendations: Sufficiency of Time, Attention, and Legal Authority. Testimony was heard from the following officials of the 9/11 Commission: Thomas H. Kean, Chairman; and Lee H. Hamilton, Vice Chairman; the former officials of the Department of Justice: Larry D. Thompson, Deputy Attorney General; and Edwin Meese III, Attorney General; and former Speaker of the House of Representatives Newt Gingrich of Georgia.

9/11 COMMISSION RECOMMENDATIONS: COUNTERTERRORISM ANALYSIS AND COLLECTION

Permanent Select Committee on Intelligence: On August 4, the Committee held a hearing on 9/11 Recommendations: Counterterrorism Analysis and Collection—The Requirement for Imagination and Creativity. Testimony was heard from the following officials of the CIA: Jamie A. Miscik, Deputy Director of Intelligence; Charles Allen, Assistant Director of Central Intelligence for Collection; and Mark Lowenthal, Assistant Director, Analysis and Production; Maureen Baginski, Executive Assistant Director, Office of Intelligence, FBI, Department of Justice; Ambassador J. Cofer Black, Coordinator, Counterterrorism, Department of State; the following former officials of the Department of Defense: John J. Hamre, Deputy Secretary; and GEN William E. Odom, USA (Ret.), Director, NSA; and public witnesses.

"9/11 COMMISSION: TOWARDS A PARADIGM FOR HOMELAND SECURITY INFORMATION SHARING"

Select Committee on Homeland Security: On August 17, the Committee held a hearing entitled "9/11 Commission: Towards a Paradigm for Homeland Security Information Sharing." Testimony was heard from the following officials of the National Commission on Terrorist Attacks Upon the United States: Thomas H. Kean, Chairman; and Lee H. Hamilton, Vice Chairman; Ambassador J. Cofer Black, Coordinator, Counterterrorism, Department of State; Patrick Hughes, Assistant Secretary, Information Analysis, Department of Homeland Security; John Brennan, Director, Terrorist Threat Integration Center; and Maureen Baginski, Executive Assistant Director, Intelligence, FBI, Department of Justice.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED EIGHTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 20 through July 31, 2004

	Senate	*House*	*Total*
Days in session	98	82	..
Time in session	750 hrs., 59′	651 hrs., 31′	..
Congressional Record:			
Pages of proceedings	8,809	6,708	..
Extensions of Remarks	..	1,519	..
Public bills enacted into law	21	61	82
Private bills enacted into law	1	..	1
Bills in conference	4	13	..
Measures passed, total	313	429	742
Senate bills	70	26	..
House bills	83	190	..
Senate joint resolutions	5	2	..
House joint resolutions	1	4	..
Senate concurrent resolutions	28	9	..
House concurrent resolutions	26	58	..
Simple resolutions	100	140	..
Measures reported, total	*187	*223	410
Senate bills	116	7	..
House bills	46	145	..
Senate joint resolutions	5	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	5	..	..
House concurrent resolutions	2	6	..
Simple resolutions	13	64	..
Special reports	2	3	..
Conference reports	1	4	..
Measures pending on calendar	287	124	..
Measures introduced, total	969	1,727	2,696
Bills	769	1,304	..
Joint resolutions	15	18	..
Concurrent resolutions	49	137	..
Simple resolutions	136	268	..
Quorum calls	..	1	..
Yea-and-nay votes	163	244	..
Recorded votes	..	176	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 91 reports have been filed in the Senate, a total of 230 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 20 through July 31, 2004

Civilian nominations, totaling 459, (including 195 nominations carried over from the First Session), disposed of as follows:	
Confirmed	146
Unconfirmed	274
Withdrawn	16
Returned to White House	3
Other Civilian nominations, totaling 2,765 (including 5 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,436
Unconfirmed	1,328
Withdrawn	1
Air Force nominations, totaling 8,090 (including 3,572 nominations carried over from the First Session), disposed of as follows:	
Confirmed	5,536
Unconfirmed	2,554
Army nominations, totaling 2,124 (including 594 nominations carried over from the First Session), disposed of as follows:	
Confirmed	2,092
Unconfirmed	32
Navy nominations, totaling 6,829 (including 2,444 nominations carried over from the First Session), disposed of as follows:	
Confirmed	6,783
Unconfirmed	46
Marine Corps nominations, totaling 1,224 (including 2 nominations carried over from the First Session) disposed of as follows:	
Confirmed	1,220
Unconfirmed	4

Summary

Total nominations carried over from the First Session	6,812
Total nominations received this Session	14,659
Total confirmed	17,213
Total unconfirmed	4,238
Total withdrawn	17
Total returned to the White House	3

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	Senate	*House*	*Total*
Days in session	98	82	..
Time in session	750 hrs., 59′	651 hrs., 31′	..
Congressional Record:			
Pages of proceedings	8,809	6,708	..
Extensions of Remarks	..	1,519	..
Public bills enacted into law	25	79	104
Private bills enacted into law	1	..	1
Bills in conference	4	13	..
Measures passed, total	313	429	742
Senate bills	70	26	..
House bills	83	190	..
Senate joint resolutions	5	2	..
House joint resolutions	1	3	..
Senate concurrent resolutions	28	9	..
House concurrent resolutions	26	58	..
Simple resolutions	100	140	..
Measures reported, total	* 207	* 223	430
Senate bills	131	7	..
House bills	51	145	..
Senate joint resolutions	5	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	5	..	..
House concurrent resolutions	2	6	..
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Bills vetoed	..	..	..
Vetoes overridden	..	..	..

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DISPOSITION OF EXECUTIVE NOMINATIONS

January 20 through August 31, 2004

Civilian nominations, totaling 439, (including 195 nominations carried over from the First Session), disposed of as follows:

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Unconfirmed	274
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Other Civilian nominations, totaling 2,765 (including 5 nominations carried over from the First Session), disposed of as follows:

Confirmed	1,436
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Unconfirmed	4

Summary

Total nominations carried over from the First Session	6,812
Total nominations received this Session	14,659
Total confirmed	17,213
Total unconfirmed	4,238
Total withdrawn	17
Total returned to the White House	3

Wednesday, September 8, 2004

Senate

Chamber Action

Routine Proceedings, pages 17585–17636

Measures Introduced: Three bills were introduced, as follows: S. 2778–2780. **Page 17624**

Measures Reported:

Special Report entitled "Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2005". (S. Rept. No. 108–336)

Special Report entitled "Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2005". (S. Rept. No. 108–337) **Page 17624**

Homeland Security Appropriations: Pursuant to the order of Tuesday, September 7, 2004, Senate began consideration of H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, striking all after the enacting clause and inserting in lieu thereof, the text of S. 2537, Senate companion measure, for the purpose of further amendment, and taking action on the following amendments proposed thereto: **Pages 17593, 197594**

Adopted:

By 49 yeas to 47 nays (Vote No. 167), Thomas Amendment No. 3582 (to Amendment No. 3581), to require the Secretary of Homeland Security to submit to Congress, at least 60 days prior to award, a report on the results of an Office of Management and Budget Circular A–76 competition, to include estimated savings, performance improvements, and the impact on jobs and Federal Government employees. **Page 17607**

By 49 yeas to 47 nays (Vote No. 168) Leahy Amendment No. 3584 (to Amendment No. 3581), to prohibit funds from being used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided as of June 1, 2004, by certain employees of the Bureau of Citizenship and Immigration Services of the Department of Homeland Security. **Page 17611**

Leahy Amendment No. 3581, to prohibit funds from being used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided as of June 1, 2004, by certain employees of the Bureau of Citizenship and Immigration Services of the Department of Homeland Security. **Page 17605**

Cochran/Byrd Amendment No. 3586, to make technical corrections to provisions of the bill related to verification of air carrier calendar year 2000 security costs. **Page 17612**

Cochran Amendment No. 3587, to make a technical correction. **Page 17612**

Cochran (for Byrd/Stevens) Amendment No. 3588, to make modifications to the Government Accountability Office study of the Transportation Security Administration's Computer Assisted Passenger Pre-screening System/Secure Flight program. **Page 17612**

During consideration of this measure today, the Senate also took the following action:

By 50 yeas to 46 nays (Vote No. 166), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Schumer Modified Amendment No. 3580, to appropriate an additional $150,000,000 for port security research and development grants. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Page 17601**

A unanimous-consent agreement was reached providing for certain first-degree amendments, subject to relevant second-degree amendments, and that all other provisions of the order governing this bill remain in effect. **Page 17615**

A unanimous-consent agreement was reached providing for the consideration of the bill at approximately 10:30 a.m., on Thursday, September 9, 2004. **Page 17633**

Nominations Received: Senate received the following nominations:

Raymond F. DuBois, of the District of Columbia, to be Deputy Under Secretary of Defense for Logistics and Materiel Readiness.

Thomas V. Skinner, of Illinois, to be an Assistant Administrator of the Environmental Protection Agency.

Howard J. Krongard, of New Jersey, to be Inspector General, Department of State.

Douglas Menarchik, of Texas, to be an Assistant Administrator of the United States Agency for International Development.

Catherine Todd Bailey, of Kentucky, to be Ambassador to the Republic of Latvia.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Page 17634**

Messages From the House: **Page 17621**

Measures Referred: **Page 17622**

Measures Placed on Calendar: **Page 17622**

Executive Communications: **Page 17622**

Additional Cosponsors: **Page 17624**

Statements on Introduced Bills/Resolutions: **Page 17626**

Additional Statements: **Page 17620**

Amendments Submitted: **Page 17628**

Notices of Hearings/Meetings: Page 17633

Authority for Committees to Meet: Page 17633

Record Votes: Three record votes were taken today. (Total—168) Pages 17605, 17611, 17612

Adjournment: Senate convened at 10:30 a.m., and adjourned at 7:47 p.m., until 9:30 a.m., on Thursday, September 9, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 17634.)

Committee Meetings

APPROPRIATIONS: 302(b) ALLOCATIONS

Committee on Appropriations: Committee approved the fiscal year 2005 302(b) subcommittee allocations of budget outlays and new budget authority allocated to the committee.

APPROPRIATIONS: AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies approved for full Committee consideration an original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2005.

NASA'S SPACE SHUTTLE PROGRAM

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the status of NASA's space shuttle program and the safe return of the Space Shuttle to flight, focusing on completion of the International Space Station, focus Station research on supporting exploration goals, and fulfill the commitment to international partners, after receiving testimony from Sean O'Keefe, Administrator, National Aeronautics and Space Administration; Lieutenant General Thomas P. Stafford, USAF (Ret.), Return to Flight Task Group, Houston, Texas; and Joe Cuzzupoli, Kistler Aerospace Corporation, Kirkland, Washington.

9/11 COMMISSION RECOMMENDATIONS

Committee on Commerce, Science, and Transportation: Committee held a hearing to examine the implementation of the 9/11 Commission recommendations to provide spectrum for public safety users, focusing on private sector readiness, public safety communications, and completing the transition to digital television, receiving testimony from Representative Curt Weldon; Michael K. Powell, Chairman, Federal Communications Commission; Robert LeGrande, Deputy Chief Technology Officer, Government of the District of Columbia; Stephen T. Devine, Missouri State Highway Patrol, Jefferson City; Gary Grube, Motorola, Schaumburg, Illinois; David L. Donovan, Association for Maximum Service Television, Washington, D.C.; and Lowell W. Paxson, Paxson Communications Corporation, West Palm Beach, Florida.

INTELLIGENCE COMMUNITY REFORMS

Committee on Governmental Affairs: Committee held a hearing to examine proposals to build an agile intelligence community to fight terrorism and emerging threats, focusing on reforms recommended by the 9/11 Commission, providing Federal Bureau of Investigation and Central Intelligence Agency analysts with transparency into intelligence sources, the operational chain of command, protecting civil liberties, and the USA Patriot Act, receiving testimony from Robert S. Mueller III, Director, Federal Bureau of Investigation, Department of Justice; and John E. McLaughlin, Acting Director, Central Intelligence Agency.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Susan Bieke Neilson, of Michigan, to be United States Circuit Judge for the Sixth Circuit, who was introduced by Representative McCotter, Micaela Alvarez, to be United States District Judge for the Southern District of Texas, who was introduced by Senators Hutchison and Cornyn, Keith Starrett, to be United States District Judge for the Southern District of Mississippi, who was introduced by Senators Cochran and Lott, and Raymond L. Finch, to be Judge for the District Court of the Virgin Islands, who was introduced by Virgin Islands Delegate Christensen, after each nominee testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Measures Introduced: 12 public bills, H.R. 5024–5035; 2 private bills, H.R. 5036–5037; and 5 resolutions, H. Res. 756–760, were introduced. Page 17779

Additional Cosponsors: Page 17780

Reports Filed: Reports were filed as follows:

H.R. 4768, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into certain major medical facility leases, to authorize that Secretary to transfer real property subject to certain limitations, amended (H. Rept. 108–663);

H.R. 2960, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Brownsville Public Utility Board water recycling and desalinization project (H. Rept. 108–664);

H.R. 4027, to authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Flor-

ida, for use by the University for a Marine Life Science Center, amended (H. Rept. 108–665);

H.R. 4617, to amend the Small Tracts Act to facilitate the exchange of small tracts of land, amended (H. Rept. 108–666, Pt. 1);

S. 1003, to clarify the intent of Congress with respect to the continued use of established commercial outfitter hunting camps on the Salmon River (H. Rept. 108–667);

H.R. 4606, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, amended (H. Rept. 108–668);

H.R. 4508, to amend the National Parks and Recreation Act of 1978 to require the Secretary to permit continued use and occupancy of certain privately owned cabins in the Mineral King Valley in the Sequoia National Park (H. Rept. 108–669);

H.R. 4586, to provide that making limited portions of audio or video content of motion pictures imperceptible by or for the owner or other lawful possessor of an authorized copy of that motion picture for private home viewing, and the use of technology therefor, is not an infringement of copyright or of any right under the Trademark Act of 1946, amended (H. Rept. 108–670);

H.R. 5025, making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005 (H. Rept. 108–671); and

H.R. 4341, to reform the postal laws of the United States referred sequentially to the House Committee on the Judiciary for a period ending not later than Sept. 28, 2004 for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X (H. Rept. 108–672, Pt. 1).

Page 17779

Speaker: Read a letter from the Speaker wherein he appointed Representative Terry to act as Speaker pro tempore for today. **Page 17637**

Committee Election: The House agreed to H. Res. 756, electing Representative Stenholm to the Committee on Armed Services. **Page 17639**

Department of Labor, HHS, and Education Appropriations Act for FY 2005: The House began consideration of H.R. 5006, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005. Further consideration will resume tomorrow, September 9. **Page 17650**

Agreed to:

Hooley amendment that increases funding for the Veterans Employment and Training Program; **Page 17699**

LoBiondo amendment that amends section 221 of Title II regarding hospital inpatient rehabilitation; **Page 17715**

Maloney amendment that provides funding for the Women's Educational Equity Act of 2001; **Page 17720**

Sanders amendment that increases funding for the Low-Income Home Energy Assistance program (by a recorded vote of 305 ayes to 114 noes, Roll No. 427); **Pages 17708, 17725**

Shadegg amendment that increases funding for School Improvement Programs (an amendment offered by Representative Obey to the original amendment that would have removed the provision reducing funding for Education for the Disadvantaged and made changes to existing tax laws was stricken by a point of order); and **Page 17728**

George Miller of California amendment that prohibits the use of funds from being used by the Pension Benefit Guaranty Corporation to enforce the Employee Retirement Income Security Act of 1974 (by a recorded vote of 268 ayes to 148 noes, Roll No. 429). **Pages 17732, 17737**

Rejected:

Jackson-Lee of Texas amendment (no. 4 printed in the Congressional Record of September 8) that sought to increase funding for the National Center for Health Statistics surveys and the National Center on Minority Health and Health Disparities (by a recorded vote of 112 ayes to 305 noes, Roll No. 425); **Pages 17702, 17723**

Jackson-Lee amendment that sought to increase funding for Disease Control, Research and Training (by a recorded vote of 156 ayes to 261 noes with one voting "present", Roll No. 426); and **Pages 17704, 17724**

Hefley amendment that sought to reduce overall funding in the bill by one percent (by a recorded vote of 79 ayes to 333 noes, Roll No. 428). **Page 17736**

Withdrawn:

Johnson of Connecticut amendment that was offered and subsequently withdrawn that sought to increase funding to advance health information technology; **Page 17698**

Green of Texas amendment that was offered and subsequently withdrawn that sought to appropriate funds to carry out provisions of the Public Health Service Act relating to healthy communities access program; **Page 17700**

Stupak amendment that was offered and subsequently withdrawn that sought to increase funding for Aging Services Programs and to carry out the Nutrition Services Incentive Program; **Page 17712**

Allen amendment that was offered and subsequently withdrawn that sought to appropriate funding for research on outcomes of health care items and services authorized under the Medicare Prescription Drug, Improvement, and Modernization Act of 2003; **Page 17717**

Udall of New Mexico amendment that was offered and subsequently withdrawn that sought to increase funding for Disease Control, Research, and Training; **Page 17718**

Tom Davis of Virginia amendment that was offered and subsequently withdrawn that sought to amend the Elementary and Secondary Education Act of 1965; and **Page 17731**

Stearns amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to carry out modifications of coverage announced by the Secretary until the Secretary submits a report to Congress containing the estimate of the increased costs of such modifications to the Medicare program. **Page 17735**

Point of Order sustained against:

Section 219(b) pertaining to Medicare Claims Processing Fee; **Page 17715**

Bordallo amendment that sought to increase funding for Grants to States for Medicaid to be used for Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands; and **Page 17719**

Section 506 concerning the purchase of American made products. **Page 17730**

Agreed to the Regula motion that the Committee rise by a recorded vote of 216 ayes to 195 noes, Roll No. 430. **Page 17738**

H. Res. 754, the rule providing for consideration of the bill was agreed to by a voice vote, after agreeing to order the previous question by a yea-and-nay vote of 209 yeas to 190 nays, Roll No. 424. **Page 17641**

Anniversary of the terrorist attacks of September 11, 2001: Agreed that it be in order at any time to consider H. Res. 757, expressing the sense of the House of Representatives on the anniversary of the terrorist attacks launched against the United States on September 11, 2001; that the resolution shall be considered as read for amendment; and that the previous question shall be considered as ordered on the resolution and preamble to final adoption without intervening motion or demand for division of the question except: one hour of general debate on the resolution equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations, and one motion to recommit which may not contain instructions. **Page 17739**

Tax Relief, Simplification, and Equity Act of 2003—Motion To Instruct Conferees: The House began consideration of the Hill motion to instruct conferees on H.R. 1308, to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit. Further consideration will resume tomorrow, September 9. **Page 17739**

Suspension—Proceedings Postponed: The House completed debate on the following measure under suspension of the rules. Further consideration will resume tomorrow, September 9.

Garrett Lee Smith Memorial Act: S. 2634, to amend the Public Health Service Act to support the planning, implementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, to provide funds for campus mental and behavioral health service centers. **Page 17745**

Committee Resignation: Read a letter from Representative Jo Ann Davis of Virginia wherein she resigned from the Committee on Government Reform, effective August 10, 2004 to accept a seat on the Permanent Select Committee on Intelligence. **Page 17754**

Committee Resignation: Read a letter from Representative Bereuter wherein he announced his resignation from the Permanent Select Committee on Intelligence, effective immediately. **Page 17754**

Committee Appointment: The Chair announced that on August 10, 2004 in consonance with the letter of resignation from Representative Bereuter, the Speaker appointed Representative Jo Ann Davis of Virginia to the Permanent Select Committee on Intelligence. **Page 17755**

Committee Chairman Resignation: Read a letter from Representative Goss wherein he resigned from the Chairmanship of the Permanent Select Committee on Intelligence on a temporary basis, effective immediately, until the Senate makes a final determination on the President's nomination of Representative Goss for the position of Director of Central Intelligence. **Page 17755**

Committee Chairman Appointment: The Chair announced that in consonance with the letter of resignation of Representative Goss, the Speaker designated Representative Hoekstra as Chairman of the Permanent Select Committee on Intelligence. **Page 17755**

Amendments: Amendments ordered printed pursuant to the rule appear on page 17781.

Quorum Calls Votes: One yea-and-nay vote and six recorded votes developed during the proceedings of today and appear on pages 17650, 17723–25, and 17736–39. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:47 p.m.

Committee Meetings

PERFORMANCE OF U.S. MILITARY SERVICEMEMBERS IN IRAQ AND AFGHANISTAN

Committee on Armed Services: Held a hearing on the performance of U.S. military servicemembers in Iraq and Afghanistan. Testimony was heard from the following officials of the Department of Defense: COL Michael Linnington, USA, Former Brigade Commander, and CPT Patrick Costello, USA, Former ADA, both with the 101st Airborne Division; LTC Bryan P. McCoy, USMC, Former Commander, and CPT Morgan Savage, USMC, Former Company Commander, both with the 3rd Battalion, 4th Marine Regiment; and LTC Jeffrey A. Springman, USA, Former Commander, 3–29 Field Artillery Battalion, 4th Infantry Division.

ECONOMIC OUTLOOK AND CURRENT FISCAL ISSUES

Committee on the Budget: Held a hearing on The Economic Outlook and Current Fiscal Issues. Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System.

UPDATE OF THE BUDGET AND ECONOMIC OUTLOOK

Committee on the Budget: Held a hearing on Update of the Budget and Economic Outlook. Testimony was heard from Douglas J. Holtz-Eakin, Director, CBO.

"LAW ENFORCEMENT ACCESS TO COMMUNICATION SYSTEMS IN A DIGITAL AGE"

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "Law Enforcement Access to Communications Systems in a Digital Age." Testimony was heard from the following officials of the Department of Justice: Laura Parsky, Deputy Assistant Attorney General, Criminal Division; and Marcus Thomas, Deputy Assistant Director, Investigative Technologies Division, FBI; Julius P. Knapp, Deputy Chief, Office of Engineering and Technology, FCC; and public witnesses.

"PROTECTING OUR FINANCIAL INFRASTRUCTURE: PREPARATION AND VIGILANCE"

Committee on Financial Services: Held a hearing entitled "Protecting our Financial Infrastructure: Preparation and Vigilance." Testimony was heard from Mark W. Olson, member, Board of Governors, Federal Reserve System; Wayne Abernathy, Assistant Secretary, Financial Institutions, Department of the Treasury; Robert Liscouski, Assistant Secretary, Infrastructure Protection, Department of Homeland Security; and public witnesses.

"TRUTH REVEALED: NEW SCIENTIFIC DISCOVERIES REGARDING MERCURY IN MEDICINE AND AUTISM"

Committee on Government Reform: Subcommittee on Human Rights and Wellness held a hearing entitled "Truth Revealed: New Scientific Discoveries Regarding Mercury in Medicine and Autism." Testimony was heard from the following officials of the Department of Health and Human Services: William Egan, Acting Director, Office of Vaccines Research and Review, Center for Biologics Evaluation and Research, FDA; and Melinda Wharton, M.D., Acting Deputy Director, National Immunization Program, Centers for Disease Control and Prevention; and public witnesses.

"ASSESSING SEPTEMBER 11TH HEALTH CARE EFFECTS"

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Assessing September 11th Health Care Effects." Testimony was heard from John Howard, M.D., Director, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, Department of Health and Human Services; the following officials of the GAO: Janet Heinrich, Director, Health Care-Public Health Issues; and Robert Robertson, Director, Education, Workforce and Income Security; and public witnesses.

PROJECT SAFECOM

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held a hearing entitled "Project SAFECOM: More Time. More Money. More Communication? What Progress Have We Made in Achieving Interoperable Communication Between Local, State, and Federal First Responders?" Testimony was heard from William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, GAO; the following officials of the Department of Homeland Security: David Boyd, SAFECOM Program Manager, Wireless Public Safety Interoperable Communications Program, Science and Technology Directorate; and Timothy L. Beres, Associate Director, State and Local Program Management Division, Office of State and Local Government Coordination and Preparedness; John Muleta, Chief, Wireless Bureau, FCC; Tom Worden, Chief, Telecommunications Branch, Office of Emergency Services, State of California; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following bills: H.R. 4571, amended, Lawsuit Abuse Reduction Act of 2004; H.R. 1787, amended, Good Samaritan Volunteer Firefighter Assistance Act of 2003; H.R. 1084, amended, Volunteer Pilot Organization Protection Act; H.R. 3369, Nonprofit Athletic Organization Protection Act of 2003; H.R. 3369, Nonprofit Athletic Organization Protection Act of 2003; H.R. 4661, amended, Internet Spyware (I-SPY) Prevention Act of 2004; H.R. 4077, amended, Piracy Deterrence and Education Act of 2004; H.R. 1775, To amend title 36, United States Code, to designate the oak tree as the national tree of the United States; and H.R. 4319, amended, Title 46 Codification Act of 2004.

BRIEFING—FAY REPORT

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on the Fay Report. The Committee was briefed by departmental witnesses.

Thursday, September 9, 2004

Senate

Chamber Action

Routine Proceedings, pages 17932–18002

Measures Introduced: Five bills and two resolutions were introduced, as follows: S. 2781–2785, and S. Res. 420–421. **Page 17989**

Measures Passed:

Russian Terrorist Atrocities: Senate agreed to S. Res. 421, expressing outrage at the recent terrorist atrocities in Beslan, Russian Federation, and condolences to the families of the victims. **Page 18000**

Congressional Gold Medal: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of S. 1368, to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement, and the bill was then passed. **Page 18001**

Sports Agent Responsibility and Trust Act: Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 361, to designate certain conduct by sports agents relating to the signing of contracts with student athletes as unfair and deceptive acts or practices to be regulated by the Federal Trade Commission, and the bill was then passed, clearing the measure for the President. **Page 18002**

Homeland Security Appropriations: Senate continued consideration of H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, taking action on the following amendments proposed thereto: **Page 17941**

Adopted:

Alexander Amendment No. 3608, to prohibit funds from being used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act. **Pages 17964, 17970**

Allen/Warner Amendment No. 3610, to direct the Director of the Federal Emergency Management Agency to conduct an investigation of the Shockoe Creek drain field in Richmond, Virginia, to determine means of preventing future damage from floods and other natural disasters. **Pages 17973, 17975**

Rejected:

Boxer Amendment No. 3609, to appropriate $70,000,000 for grants to States, local governments, and first responders to purchase or improve communication systems to allow for real-time interoperable communication between State and local first responders and to offset this appropriation with a corresponding reduction from the Human Resources Account of the Office of the Under Secretary of Management. (By 46 yeas to 45 nays (Vote No. 172), Senate tabled the amendment.) **Pages 17965, 17970**

Pending:

Nelson (FL) Amendment No. 3607, to provide funds for the American Red Cross. **Page 17962**

Schumer Amendment No. 3615, to appropriate $100,000,000 to establish an identification and tracking system for HAZMAT trucks and a background check system for commercial driver licenses. **Page 17974**

During consideration of this measure today, the Senate also took the following action:

By 43 yeas to 51 nays (Vote No. 169), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Byrd Amendment No. 3597, to make available funds for certain border and transportation security programs. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages 17942, 17958**

By 41 yeas to 53 nays (Vote No. 170), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Dodd Amendment No. 3604, to increase the amount provided for first responder programs, and to provide offsets. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages 17952, 17958**

By 45 yeas to 49 nays (Vote No. 171), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Murray Amendment No. 3596, to increase the amount available for port security grants by $300,000,000. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Page 17959**

Chair sustained a point of order against Harkin/Biden Amendment No. 3612, to restore the maximum percentage of hazard mitigation contributions that may be made for a major disaster, as being in violation of Rule XVI of the Standing Rules of the Senate which prohibits legislation on an appropriation measure, and the amendment thus fell. **Page 17971**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Friday, September 10, 2004. **Page 18002**

Garrett Lee Smith Memorial Act: Senate concurred in the amendments of the House to S. 2634, to amend the Public Health Service Act to support the planning, im-

plementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, to authorize grants to institutions of higher education to reduce student mental and behavioral health problems, clearing the measure for the President. Page 17976

Messages From the House: Page 17986

Executive Communications: Page 17986

Additional Cosponsors: Page 17989

Statements on Introduced Bills/Resolutions: Page 17990

Additional Statements: Page 17984

Amendments Submitted: Page 17996

Notices of Hearings/Meetings: Page 17999

Authority for Committees to Meet: Page 18000

Privilege of the Floor: Page 18000

Record Votes: Four record votes were taken today. (Total—172) Pages 17958, 17959, 17962, 17970

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:15 p.m., until 9:30 a.m., on Friday, September 10, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 18002.)

Committee Meetings

APPROPRIATIONS: TRANSPORTATION, TREASURY, AND GENERAL GOVERNMENT

Committee on Appropriations: Subcommittee on Transportation, Treasury, and General Government approved for full Committee consideration an original bill making appropriations for the Departments of Transportation and Treasury, the Executive Office of the President, and certain independent agencies for the fiscal year ending September 30, 2005.

IRAQI PRISONER ABUSE

Committee on Armed Services: Committee concluded a hearing to examine the investigation of the 205th Military Intelligence Brigade at Abu Ghraib Prison, Iraq, after receiving testimony from General Paul J. Kern, USA, Commanding General, United States Army Materiel Command; Lieutenant General Anthony R. Jones, USA, Deputy Commanding General, Chief of Staff, United States Army Training and Doctrine Command; Major General R. Steven Whitcomb, USA, Special Assistant to the Commander, United States Central Command; Major General George R. Fay, USA, Deputy Commander, United States Army Intelligence and Security Command; and Major General Antonio M. Taguba, USA, Deputy Assistant Secretary of Defense for Reserve Affairs, Readiness, Training and Mobilization.

DEPARTMENT OF DEFENSE DETENTION OPERATIONS

Committee on Armed Services: Committee concluded a hearing to examine the report of the Independent Panel to Review Department of Defense Detention Operations, focusing on why prisoner abuse occurred, how they occurred and lessons learned, after receiving testimony from James R. Schlesinger, Chairman, and Harold Brown, Member, both of the Independent Panel to Review Department of Defense Detention Operations.

IMPACT OF SARBANES-OXLEY ACT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the impact of the Sarbanes-Oxley Act and developments concerning international convergence, focusing on regulations in the United Kingdom and Hong Kong, strengthening corporate governance and internal controls, concerns of small companies, and the changed behavior of audit committees, management, and auditors, after receiving testimony from Paul Boyle, Financial Reporting Council, Sir David Tweedie, International Accounting Standards Board, and Douglas Flint, HSBC Holdings, all of London, United Kingdom; Andrew Sheng, Hong Kong Securities and Futures Commission; Greg Bentley, Bentley Systems, Inc., Exton, Pennsylvania; Arnold C. Hanish, Eli Lilly and Company, Indianapolis, Indiana, on behalf of Financial Executives International; Leonard Moodispaw, Essex Corporation, Columbia, Maryland; and James S. Turley, Ernst and Young, LLP, New York, New York.

SUDAN

Committee on Foreign Relations: Committee concluded a hearing to examine the current situation in Sudan and prospects for peace, focusing on the State Department's investigation of the Darfur crisis, after receiving testimony from Colin L. Powell, Secretary of State.

BUSINESS MEETING

Committee on the Judiciary: On September 9, Committee began mark-up of S. 1700, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, but did not complete action thereon, and will meet again on Tuesday, September 14.

House of Representatives

Chamber Action

Measures Introduced: 23 public bills, H.R. 5038–5061; 1 private bill, H.R. 5062; and 6 resolutions, H.J. Res. 102; H. Con. Res. 488–489, and H. Res. 761, 763–764, were introduced. **Page 17928**

Additional Cosponsors: **Page 17930**

Reports Filed: Reports were filed today as follows:

H.R. 1151, to provide that transit pass transportation fringe benefits be made available to all qualified Federal employees in the National Capital Region; to allow passenger carriers which are owned or leased by the Government to be used to transport Government employees between their place of employment and mass transit facilities (H. Rept. 108–673); and

H.R. 5041, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2005 (H. Rept. 108–674). **Page 17928**

Speaker: Read a letter from the Speaker wherein he appointed Representative Biggert to act as Speaker pro tempore for today. **Page 17833**

Chaplain: Today's prayer was offered by Rev. David O. Jones, Headmaster, Heritage Covenant Schools in Franklin, Tennessee. **Page 17833**

Anniversary of the terrorist attacks of September 11, 2001: The House agreed to H. Res. 757, expressing the sense of the House of Representatives on the anniversary of the terrorist attacks launched against the United States on September 11, 2001, by a yea-and-nay vote of 406 yeas to 16 nays, Roll No. 431. **Page 17836**

The resolution was considered under a unanimous consent agreement reached on Wednesday, September 8.

Moment of Silence in Commemoration of the 9/11 Terrorist Attacks: The House observed a moment of silence to commemorate the anniversary of the terrorist attacks on September 11, 2001. **Page 17851**

Tax Relief, Simplification, and Equity Act of 2003—Motion to Instruct Conferees: The House rejected the Hill motion to instruct conferees on H.R. 1308, to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit, by a yea-and-nay vote of 203 yeas to 216 nays, Roll No. 432. The motion was debated yesterday, September 8. **Page 17851**

Suspension—Proceedings Postponed: The House agreed to suspend the rules and pass the following measure which was debated yesterday, September 8:

Garrett Lee Smith Memorial Act: S. 2634, amended, to amend the Public Health Service Act to support the planning, implementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, to provide funds for campus mental and behavioral health service centers, by a ⅔ yea-and-nay vote of 352 yeas to 64 nays, Roll No. 433. **Page 17852**

Agreed to amend the title so as to read: to amend the Public Health Service Act to support the planning, implementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, to authorize grants to institutions of higher education to reduce student mental health and behavioral health problems. **Page 17853**

Department of Labor, HHS, and Education Appropriations Act for FY 2005: The House passed H.R. 5006, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005, by a yea-and-nay vote of 388 yeas to 13 nays, Roll No. 440. The bill was also considered yesterday, September 8. **Pages 17853, 17863**

Agreed by unanimous consent to limit the amendments offered and the time for debate on such amendments. **Page 17863**

Agreed to:

Garrett amendment (No. 2 printed in the Congressional Record of September 8) that prohibits funding for the attendance of more that 50 Federal employees at that agency at any single conference occurring outside of the United States; **Page 17877**

Neugebauer amendment that prohibits the use of funds for NIMH to fund grant numbers MH054142 and MH064527; **Page 17878**

Obey amendment that prohibits the use of funds to enforce a Labor Department final rule which went into effect on August 23 regarding overtime protection (by a recorded vote of 223 ayes to 193 noes, Roll No. 434) (earlier a point of order on the amendment was overruled by the Chair); **Pages 17853, 17882**

Kildee amendment that prohibits the use of funds for the Secretary of Education to administer or pay any special allowance under sections of the Higher Education Act of 1965 pursuant to provisions of the regulations of the Department of Education (by a recorded vote of 413 ayes to 3 noes, Roll No. 436); and **Pages 17870, 17884**

King of Iowa amendment that prohibits the use of funds by the Department of Education in contravention of sections of the Illegal Immigration Reform and Responsibility Act of 1996. **Page 17896**

Rejected:

Tancredo amendment (No. 1 printed in the Congressional Record of September 8) that sought to prohibit the use of funds to pay salaries and expenses of personnel to carry out the section of the Medicare Prescription Drug,

Improvement and Modernization Act of 2003 that deals with federal reimbursement of emergency health services furnished to undocumented aliens; **Page 17870**

Hayworth amendment (No. 6 printed in the Congressional Record of September 8) that sought to prohibit the use of funds to enforce a National Labor Relations Board decision dealing with jurisdiction over Indian tribes (by a recorded vote of 185 ayes to 227 noes, Roll No. 435); **Pages 17864, 17883**

Stark amendment that sought to reduce the funding for General Departmental Management for the Office of the Secretary of Health and Human Services (by a recorded vote of 195 ayes to 216 noes, Roll No. 437); **Pages 17872, 17884**

Paul amendment (No. 3 printed in the Congressional Record of September 8) that sought to prohibit the use of funds to create or implement any new universal mental health screening program (by a recorded vote of 95 ayes to 315 noes, Roll No. 438); and **Pages 17874, 17885**

Hayworth amendment that sought to prohibit the use of funds for the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments under a totalization agreement with Mexico which would not otherwise be payable but for such agreement (by a recorded vote of 178 ayes to 225 noes, Roll No. 439). **Pages 17890, 17908**

Withdrawn:

Bordallo amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to enforce the limitations under section 1108 of the Social Security Act on the amount certified for FY05 with respect to title XIX of the Act with respect to Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands; **Page 17886**

Oberstar amendment that was offered and subsequently withdrawn that sought to add a new section to the bill regarding fatal chronic illnesses; **Page 17895**

John amendment that was offered and subsequently withdrawn that sought to increase funding for Disease Control, Research, and Training. **Page 17897**

Point of Order sustained against:

Brown of Ohio amendment that sought to prohibit the use of funds for administrative costs for the collection of monthly premiums under part B of the Medicare program for months in a year at monthly premium rates that exceed the monthly premium rates for months in the previous year; and **Page 17875**

Ramstad amendment that sought to increase funding for Substance Abuse and Mental Health Services. **Page 17876**

H. Res. 754, the rule providing for consideration of the bill was agreed to yesterday, September 8.

Committee Election: Agreed to H. Res. 762, electing Representative Alexander to the Committees on Agriculture and Transportation and Infrastructure. **Page 17914**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, September 13 for Morning Hour debate. **Page 17915**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, September 15. **Page 17915**

Amendments: Amendment ordered printed pursuant to the rule appears on page 17931.

Quorum Calls—Votes: Four yea-and-nay votes and six recorded votes developed during the proceedings of today and appear on pages 17850–52, 17882–86, 17908, and 17913. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:20 p.m.

Committee Meetings

FINAL REPORT INDEPENDENT PANEL TO REVIEW DOD DETENTION OPERATIONS

Committee on Armed Services: Held a hearing on the Final Report of the Independent Panel to Review Department of Defense Detention Operations. Testimony was heard from the following officials of the Panel: James R. Schlesinger, Chairman; and Harold Brown, member.

ABU GHRAIB PRISON FACILITY—INVESTIGATION OF MILITARY INTELLIGENCE ACTIVITIES

Committee on Armed Services: Held a hearing on the investigation of military intelligence activities at Abu Ghraib prison facility. Testimony was heard from the following officials of the Department of the Army: GEN Paul J. Kern, USA, Appointing Officer; LTG Anthony R. Jones, USA, Lead Investigator; and MG George R. Fay, USA, Investigating Officer.

EXAMINING PROFESSIONAL BOXING

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled "Examining Professional Boxing: Are Further Reforms Needed?" Testimony was heard from Bruce Spizler, Senior Assistant Attorney General, State of Maryland; and public witnesses.

ANTI-DEPRESSANT PEDIATRIC CLINICAL TRAILS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Publication and Disclosure Issues in Anti-Depressant Pediatric Clinical Trials." Testimony was heard from Janet Woodcock, M.D., Deputy Commissioner, Operations, FDA, Department of Health and Human Services; and public witnesses.

"G.I. FINANCES: PROTECTING THOSE WHO PROTECT US"

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "G.I. Finances: Protecting Those Who Protect Us." Testimony was heard from public witnesses.

DHS-STATE COLLABORATION ON U.S. VISA POLICY

Committee on Government Reform: Held a hearing entitled "Creating Secure Borders and Open Doors: A Review of DHS-State Collaboration on U.S. Visa Policy." Testimony was heard from Janice Jacobs, Deputy Assistant Secretary, Visa Services, Department of State; the following officials of the Department of Homeland Security: C. Stewart Verdery, Jr., Assistant Secretary, Border and Transportation Security Policy and Planning; and Clark Kent Ervin, Inspector General; and Jacquelyn L. Williams-Bridgers, Managing Director, International Affairs and Trade Team, GAO.

BANKRUPTCY JUDGESHIP ACT

Committee on the Judiciary: Ordered reported, as amended, S. 878, Bankruptcy Judgeship Act of 2003.

POTASH ROYALTY REDUCTION ACT

Committee on Resources: Subcommittee on Energy and Mineral Resources held a hearing on H.R. 4984, Potash Royalty Reduction Act of 2004. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following measures: H.R. 3834, Desalination Energy Assistance Act of 2004; H.R. 4775, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the El Paso, Texas, water reclamation, reuse, and desalinization project; H.R. 4893, To authorize additional appropriations for the Reclamation Safety of Dams Act of 1978; and H.R. 5009, To extend water contracts between the United States and specific irrigation districts and the City of Helena in Montana. Testimony was heard from Representatives Davis of Florida and Reyes; John Keys, Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

OVERSIGHT—DELAY REDUCTION EFFORTS AT CHICAGO'S O'HARE AIRPORT

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Delay Reduction Efforts at Chicago's O'Hare Airport. Testimony was heard from Representatives Manzullo and Weller; Marion C. Blakey, Administrator, FAA, Department of Transportation; John Roberson, Commissioner, Department of Aviation, City of Chicago; and a public witness.

BRIEFING—TERRORISM UPDATE

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Terrorism Update. The Committee was briefed by departmental witnesses.

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Friday, September 10, 2004

Senate

Chamber Action

Routine Proceedings, pages 18018–70

Measures Introduced: Six bills and two resolutions were introduced, as follows: S. 2786–2791, and S. Res. 422–423. **Page 18047**

Measures Passed:

September 11 Designation: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Con. Res. 127, expressing the sense of Congress that the President should designate September 11 as a national day of voluntary service, charity, and compassion, and the resolution was then agreed to. **Page 18058**

Land Conveyance: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H.R. 3908, to provide for the conveyance of the real property located at 1081 West Main Street in Ravenna, Ohio, and the bill was then agreed to, clearing the measure for the President. **Page 18059**

Homeland Security Appropriations: Senate continued consideration of H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, taking action on the following amendments proposed thereto: **Page 18020**

Adopted:

Frist Amendment No. 3616 (to Amendment No. 3578), to increase funding for the Federal Air Marshals program, and other emergency preparedness operations. **Page 18024**

Reid (for Baucus) Amendment No. 3578, to make available to the Under Secretary for Border and Transportation Security $200,000,000 to establish and operate air bases in the States of Michigan, Montana, New York, North Dakota, and Washington and to permit fees for certain customs services to be collected until June 1, 2005. **Page 18023**

Cochran (for Frist) Amendment No. 3618, to make available to the Department of Homeland Security additional funds for certain customs and border protection,

immigration, transportation security, and emergency management programs. Page 18027

Pending:

Nelson (FL) Amendment No. 3607, to provide funds for the American Red Cross. Page 18020

Schumer Amendment No. 3615, to appropriate $100,000,000 to establish an identification and tracking system for HAZMAT trucks and a background check system for commercial driver licenses. Page 18020

Reid (for Lautenberg) Amendment No. 3617, to ensure that the Coast Guard has sufficient resources for its traditional core missions. Page 18027

Corzine Amendment No. 3619, to appropriate an additional $100,000,000 to enhance the security of chemical plants. Page 18028

A unanimous-consent agreement was reached providing for further consideration of the bill at 3:30 p.m., on Monday, September 13, 2004, with a vote on, or in relation to Schumer Amendment No. 3615 (listed above) at 5:30 p.m. Page 18059

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to certain terrorist attacks; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–93) Page 18047

Nominations Received: Senate received the following nominations:

Carin M. Barth, of Texas, to be Chief Financial Officer, Department of Housing and Urban Development.

Albert A. Frink, Jr., of California, to be an Assistant Secretary of Commerce.

Jon D. Leibowitz, of Maryland, to be a Federal Trade Commissioner for a term of seven years from September 26, 2003.

Deborah P. Majoras, of Virginia, to be a Federal Trade Commissioner for the unexpired term of seven years from September 26, 2001.

Enrique J. Sosa, of Florida, to be a Member of the Reform Board (Amtrak) for a term of five years.

Scott Kevin Walker, of Wisconsin, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

Susan Johnson Grant, of Virginia, to be Chief Financial Officer, Department of Energy.

Stephen L. Johnson, of Maryland, to be Deputy Administrator of the Environmental Protection Agency.

Gary Lee Visscher, of Maryland, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

Paul Jones, of Colorado, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2008.

Aldona Wos, of North Carolina, to be Ambassador to the Republic of Estonia, to which position she was appointed during the last recess of the Senate.

Charles Graves Untermeyer, of Texas, to be Ambassador to the State of Qatar, to which position he was appointed during the last recess of the Senate.

John D. Rood, of Florida, to be Ambassador to the Commonwealth of The Bahamas, to which position he was appointed during the last recess of the Senate.

Nadine Hogan, of Florida, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring June 26, 2008.

Jack Vaughn, of Texas, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2006.

Roger W. Wallace, of Texas, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring October 6, 2008.

James R. Kunder, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Richard Kenneth Wagner, of Florida, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2006.

Sean F. Cox, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Jonathan W. Dudas, of Virginia, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

Ricardo H. Hinojosa, of Texas, to be Chair of the United States Sentencing Commission.

2 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Navy. Page 18062

Messages From the House: Page 18046

Executive Communications: Page 18046

Additional Cosponsors: Page 18047

Statements on Introduced Bills/Resolutions: Page 18048

Additional Statements: Page 18045

Amendments Submitted: Page 18054

Authority for Committees to Meet: Page 18055

Privilege of the Floor: Page 18055

Adjournment: Senate convened at 9:30 a.m., and adjourned at 2:27 p.m., until 2 p.m., on Monday, September 13, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 18059.)

Committee Meetings

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Christopher J. LaFleur, of New York, to be Ambassador to Malaysia, who was introduced by former Representative Thomas S. Foley, and B. Lynn Pascoe, of Virginia, to be Ambassador to Indonesia, after each nominee testified and answered questions in their own behalf.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 12:30 p.m. on Monday, September 13, for Morning Hour debate.

Committee Meetings

No committee meetings were held.

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Monday, September 13, 2004

Senate

Chamber Action

Routine Proceedings, pages 18084–18140

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 2792–2796, and S. Con. Res. 136. **Page 18116**

Homeland Security Appropriations: Senate resumed consideration of H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, taking action on the following amendments proposed thereto: **Page 18093**

Adopted:

Murray Amendment No. 3621, to set aside an amount for a pilot project to test interoperable communications between the first Northern Border Air Wing, Bellingham, Washington, and local law enforcement personnel. **Page 18102**

Reid (for Feingold) Amendment No. 3585, to require the development of a transportation security plan. **Page 18104**

Reid (for Feingold) Amendment No. 3602, to require the Secretary of Homeland Security to report to Congress on goods purchased by the Department of Homeland Security that were manufactured outside of the United States. **Page 18104**

Reid (for Levin) Amendment No. 3620, to clarify the prohibition on contracting with foreign incorporated entities. **Page 18104**

Rejected:

Schumer Further Modified Amendment No. 3615, to appropriate $70,000,000 to support efforts for identification and tracking for shipments of hazardous materials and continue and expand upon the background check system for commercial driver licenses with a HAZMAT endorsement, and to offset this appropriation with a corresponding reduction from the Human Resources Account of the Office of the Under Secretary of Management. (By 55 yeas to 34 nays (Vote No. 173), Senate tabled the amendment.) **Pages 18093, 18098**

Withdrawn:

Nelson (NE) Amendment No. 3625, to maintain the State Homeland Security Grant Program at the fiscal year 2004 funding level. **Page 18095**

Pending:

Nelson (FL) Amendment No. 3607, to provide funds for the American Red Cross. **Page 18093**

Corzine Amendment No. 3619, to appropriate an additional $100,000,000 to enhance the security of chemical plants. **Page 18093**

Mikulski Amendment No. 3624, to increase the amount appropriated for firefighter assistance grants. **Page 18093**

Kennedy Amendment No. 3626, to require the President to provide to Congress a copy of the Scowcroft Commission report on improving the capabilities of the United States intelligence community. **Page 18096**

Dayton Amendment No. 3629, to ensure the continuation of benefits for certain individuals providing security services for Federal buildings. **Page 18103**

During consideration of this measure today, the Senate also took the following action:

By 38 yeas to 50 nays (Vote No. 174), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Reid (for Lautenberg) Amendment No. 3617, to ensure that the Coast Guard has sufficient resources for its traditional core missions. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages 18093, 18102**

Cochran (for Frist) Amendment No. 3618, to make available to the Department of Homeland Security additional funds for certain customs and border protection, immigration, transportation security, and emergency management programs, previously agreed to on Friday, September 10, 2004, was modified by unanimous consent. **Page 18104**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:45 a.m., on Tuesday, September 14, 2004. **Page 18131**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Second Protocol Amending Tax Convention with Barbados (Treaty Doc. No. 108–26).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page 18130**

Appointments:

United States Commission on International Religious Freedom: The Chair, on behalf of the President pro tempore, upon the recommendation of the Democratic Leader, pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, appointed the following individual to the United States Commission on International Religious Freedom: Preeta D. Bansal of Nebraska, for a term of two years (May 15, 2004–May 14, 2006). **Page 18130**

Nominations Received: Senate received the following nominations:

Richard Greco, Jr., of New York, to be an Assistant Secretary of the Navy.

Patrick J. Leahy, of Vermont, to be a Representative of the United States of America to the Fifty-ninth Session of the General Assembly of the United Nations.

John E. Sununu, of New Hampshire, to be a Representative of the United States of America to the Fifty-ninth Session of the General Assembly of the United Nations.

Routine lists in the Air Force, Army, Coast Guard, Department of State, and Navy. **Page 18131**

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

Robert Jepson, of Georgia, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2008, which was sent to the Senate on December 9, 2003. **Page 18140**

Executive Communications: **Page 18113**

Additional Cosponsors: **Page 18116**

Statements on Introduced Bills/Resolutions: **Page 18117**

Additional Statements: **Page 18111**

Amendments Submitted: **Page 18128**

Notices of Hearings/Meetings: **Page 18130**

Authority for Committees to Meet: **Page 18130**

Privilege of the Floor: **Page 18130**

Record Votes: Two record votes were taken today. (Total—174) **Pages 18101, 18102**

Adjournment: Senate convened at 2 p.m., and adjourned at 7:04 p.m., until 9:45 a.m., on Tuesday, September 14, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 18131.)

Committee Meetings

INTELLIGENCE REFORM

Committee on Governmental Affairs: Committee concluded a hearing to examine ensuring the U.S. intelligence community supports homeland defense and departmental needs, focusing on intelligence and information sharing, building international partnerships, border and transportation security, civil liberties and privacy issues, and preparedness, after receiving testimony from Colin L. Powell, Secretary of State; and Tom Ridge, Secretary of Homeland Security.

TOOLS TO FIGHT TERRORISM ACT

Committee on the Judiciary: Subcommittee on Terrorism, Technology, and Homeland Security concluded a hearing to examine the provisions of S. 2679, to strengthen antiterrorism investigative tools, promote information sharing, and punish terrorist offenses (pending on Senate Calendar), after receiving testimony from Daniel J. Bryant, Assistant Attorney General, Office of Legal Policy, and Barry Sabin, Chief, Counterterrorism Section, Criminal Division, both of the Department of Justice; and Jonathan Turley, George Washington University Law School, Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 7 public bills, H.R. 5063–5069; 1 private bill, H.R. 5070; and 5 resolutions, H. Con. Res. 490 and H. Res. 765, 767–769, were introduced. **Page 18217**

Additional Cosponsors: **Page 18217**

Reports Filed: Reports were filed today as follows:

H.R. 784, to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants, amended (H. Rept. 108–675);

H.R. 4470, to amend the Federal Water Pollution Control Act to extend the authorization of appropriations for the Lake Pontchartrain Basin Restoration Program from fiscal year 2005 to 2010 (H. Rept. 108–676);

H.R. 4688, to amend the Federal Water Pollution Control Act to reauthorize the Chesapeake Bay Program (H. Rept. 108–677);

H.R. 4731, to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program (H. Rept. 108–678);

H.R. 1084, to provide liability protection to nonprofit volunteer pilot organizations flying for public benefit and to the pilots and staff of such organizations, amended (H. Rept. 108–679);

H.R. 1787, to remove civil liability barriers that discourage the donation of fire equipment to volunteer fire companies, amended (H. Rept. 108–680);

H.R. 3369, to provide immunity for nonprofit athletic organizations in lawsuits arising from claims of ordinary negligence relating to the passage or adoption of rules for athletic competitions and practices (H. Rept. 108–681);

H.R. 4571, to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, amended (H. Rept. 108–682);

H.R. 4658, to amend the Servicemembers Civil Relief Act to make certain improvements and technical corrections to that Act, amended (H. Rept. 108–683); and

H. Res. 766, providing for consideration of H.R. 4571, to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability (H. Rept. 108–684). **Page 18216**

Speaker: Read a letter from the Speaker wherein he appointed Representative Cole to act as Speaker Pro Tempore for today. **Page 18141**

Recess: The House recessed at 12:46 p.m. and reconvened at 2 p.m. **Page 18143**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Saluting the life of the late Commander Lloyd "Pete" Bucher: H. Con. Res. 407, saluting the life and courage of the late Commander Lloyd "Pete" Bucher, United States Navy (retired), who commanded the USS *Pueblo* (AGER–2) at the time of its capture by North Korea on January 23, 1968; **Page 18144**

Expressing the grave concern of Congress regarding the continuing violations of human rights and civil liberties of the Syrian people: H. Con. Res. 363, amended, expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian people by the Government of the Syrian Arab Republic, by a ⅔ yea-and-nay vote of 342 yeas with none voting "nay" and one voting "present", Roll No. 441; **Pages 18145, 18174**

Expressing support for freedom in Hong Kong: H. Res. 667, expressing support for freedom in Hong Kong, by a ⅔ yea-and-nay vote of 345 yeas with none voting "nay" and one voting "present", Roll No. 442; **Pages 18148, 18175**

Condemning the terrorist attacks against the Russian Federation that occurred in August and September 2004: H. Res. 760, condemning the series of terrorist attacks against the Russian Federation that occurred in late August and early September 2004, by a ⅔ yea-and-nay vote of 347 yeas with none voting "nay", Roll No. 443; **Pages 18151, 18176**

National Archives and Records Administration Efficiency Act of 2003: H.R. 3478, amended, to amend title 44, United States Code, to improve the efficiency of operations by the National Archives and Records Administration; **Page 18154**

Agreed to amend the title so as to read: to amend title 44, United States Code, to improve the efficiency of operations by the National Archives and Records Administration and to reauthorize the National Historical Publications and Records Commission. **Page 18155**

Archie Spigner Post Office Building Designation Act: H.R. 4632, to designate the facility of the United States Postal Service located at 19504 Linden Boulevard in St. Albans, New York, as the "Archie Spigner Post Office Building"; **Page 18156**

Honoring former President William Jefferson Clinton on the occasion of his 58th birthday: H. Res. 717, amended, honoring former President William Jefferson Clinton on the occasion of his 58th birthday; **Page 18157**

Thomas E. Creek Department of Veterans Affairs Medical Center Designation Act: H.R. 4836, to name the Department of Veterans Affairs medical center in Amarillo, Texas, as the "Thomas E. Creek Department of Veterans Affairs Medical Center"; **Page 18159**

Thomas P. Noonan, Jr., Department of Veterans Affairs Outpatient Clinic Designation Act: H.R. 1318, to name the Department of Veterans Affairs outpatient clinic in Sunnyside, Queens, New York, as the "Thomas P. Noonan, Jr., Department of Veterans Affairs Outpatient Clinic"; **Page 18161**

Castillo de San Marcos National Monument Preservation and Education Act: H.R. 2457, amended, to authorize funds for an educational center for the Castillo de San Marcos National Monument; **Page 18162**

Authorizing the Secretary of Commerce to make available to the University of Miami property under the jurisdiction of the NOAA for a Marine Life Science Center: H.R. 4027, amended, to authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center; **Page 18164**

Wilson's Creek National Battlefield Boundary Adjustment Act of 2004: H.R. 4481, amended, to amend Public Law 86–434 establishing Wilson's Creek National Battlefield in the State of Missouri to expand the boundaries of the park; **Page 18165**

Clarifying the boundaries of the John H. Chafee Coast Barrier Resources System: H.R. 3056, amended,

to clarify the boundaries of the John H. Chafee Coast Barrier Resources System Cedar Keys Unit P25 on Otherwise Protected Area P25P; **Page 18166**

Harpers Ferry National Historical Park Boundary Revision Act of 2004: S. 1576, to revise the boundary of Harpers Ferry National Historical Park—clearing the measure for the President; **Page 18167**

Amending the Organic Act of Guam: H.R. 2400, to amend the Organic Act of Guam for the purposes of clarifying the local judicial structure of Guam; **Page 18168**

Providing for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1858: H.R. 5008, to provide an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through September 30, 2004; and **Page 18171**

Expressing gratitude to the cities of Boston and New York for their hospitality, planning, and hosting of the 2004 national political conventions: H. Res. 765, expressing gratitude to the cities of Boston, Massachusetts and New York City, New York, for their extraordinary hospitality and successful planning and hosting of the 2004 national political conventions. **Page 18177**

Recess: The House recessed at 5:27 p.m. and reconvened at 6:30 p.m. **Page 18174**

Presidential Message: Read a message from the President wherein he notified Congress of the continuation of the national emergency with respect to the terrorist attacks on the United States of September 11, 2001—referred to the Committee on International Relations and ordered printed (H. Doc. 108–212). **Page 18144**

Senate Messages: Messages received from the Senate today appear on page 18143.

Senate Referrals: S. 1368 was referred to the Committee on Financial Services; S. Con. Res. 127 was held at the desk. **Page 18204**

Amendments: Amendments ordered printed pursuant to the rule appears on page 18217.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages 18174–77. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:33 p.m.

Committee Meetings

CONSTITUTION RESTORATION ACT OF 2004

Committee on the Judiciary: Subcommittee on Courts, the Internet and Intellectual Property held a hearing on H.R. 3799, Constitution Restoration Act of 2004. Testimony was heard from former Representative William E. Dannemeyer of California; and public witnesses.

LAWSUIT ABUSE REDUCTION ACT OF 2004

Committee on Rules: Granted by voice vote, a modified closed rule on H.R. 4571, Lawsuit Abuse Reduction Act of 2004, providing one hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute now printed in the bill shall be considered as adopted. The rule makes in order the amendment printed in the Rules Committee report accompanying the resolution, if offered by Representative Turner of Texas or his designee, which shall be considered as read, and which shall be debatable for 40 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in the report. Finally, the rules provides one motion to recommit, with or without instructions. Testimony was heard from Representatives Smith (TX) and Scott (VA).

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Tuesday, September 14, 2004

Senate

Chamber Action

Routine Proceedings, pages 18235–18323

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 2797–2804, and S. Res. 424–425. **Page 18303**

Measures Reported:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals—2005." (S. Rept. No. 108–338)

S. 2639, to reauthorize the Congressional Award Act. (S. Rept. No. 108–339)

S. 2803, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2005. (S. Rept. No. 108–340)

S. 2804, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2005. (S. Rept. No. 108–341) **Page 18302**

Measures Passed:

Homeland Security Appropriations: By a unanimous vote of 93 yeas (Vote No. 184), Senate passed H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005,

after taking action on the following amendments proposed thereto: **Pages 18247**

Adopted:

Ensign Amendment No. 3598, to increase the amount appropriated for baggage screening activities. **Page 18263**

Dodd/Specter Amendment No. 3630, to increase the amount provided for fire department staffing assistance grants, and to provide offsets. **Pages 18247, 18264**

Bingaman/Domenici Amendment No. 3639, to provide for continued support by the New Mexico National Guard for the performance of the vehicle and cargo inspection activities of the Department of Homeland Security. **Page 18265**

Boxer/Carper Amendment No. 3641, to provide for intercity passenger and freight security grants. **Page 18268**

Cochran (for Allard/Akaka) Amendment No. 3589, to provide for a report on common geospatial awareness of critical infrastructure. **Page 18275**

Subsequently, the amendment was modified. **Page 18291**

Cochran (for Mikulski) Amendment No. 3611, to ensure the fiscal year 2004 overtime cap applies to certain Customs Service employees. **Page 18275**

Cochran (for Boxer) Amendment No. 3634, to require reports on the Federal Air Marshals program. **Page 18276**

Cochran (for Landrieu) Amendment No. 3603, to require a GAO report on employment discrimination complaints relating to employment in airport screener positions in the Transportation Security Administration. **Page 18275**

Cochran (for Boxer) Amendment No. 3640, to protect the security of the Federal Air Marshals. **Page 18276**

Cochran (for Boxer/Schumer) Amendment No. 3642, to require a report on protecting commercial aircraft from the threat of man-portable air defense systems. **Page 18276**

Cochran (for Reed) Amendment No. 3633, to require a report on processes for issuing required permits for proposed liquefied gas marine terminals. **Page 18276**

Cochran (for Leahy/Hatch) Amendment No. 3638, to retain the uniqueness of the United States Secret Service within the Department of Homeland Security. **Page 18277**

Cochran (for Feingold/Leahy) Amendment No. 3635, to provide a data-mining report to Congress. **Page 18276**

Cochran (for Dole) Amendment No. 3645, to provide that funds appropriated to the Bureau of Customs and Border Protection be used to enforce the provisions relating to textile transshipments provided for in the Customs Border Security Act of 2002. **Page 18277**

Baucus Amendment No. 3636, to provide emergency disaster assistance to agricultural producers in Florida and other States due to losses from hurricanes, droughts, freezes, floods, and other natural disasters. **Pages 18265, 18282**

Clinton/Schumer Amendment No. 3651, to require the Federal Emergency Management Agency to allocate at least $4,450,000 of any funds previously made available in response to the September 11, 2001 attacks in New York City for continued mental health counseling services for emergency services personnel requiring additional assistance as a result of the September 11, 2001 terrorist attacks. **Page 18283**

Nelson (FL) Amendment No. 3607, to provide funds for the American Red Cross. **Page 18290**

Cochran (for Collins/Pryor) Amendment No. 3614, to set aside $50,000,000 from the amount appropriated for law enforcement terrorism prevention grants to identify, acquire, and transfer homeland security technology, equipment, and information to State and local law enforcement agencies. **Page 18290**

Cochran (for Stabenow) Amendment No. 3647, to allow State Homeland Security Program grant funds to be used to pay costs associated with the attendance of part-time and volunteer first responders at terrorism response courses approved by the Office for State and Local Government Coordination and Preparedness. **Page 18291**

Cochran (for Shelby) Amendment No. 3648, to require the President's fiscal year 2006 budget to include an amount sufficient for funding a certain level of maritime patrol capability. **Page 18291**

Cochran (for Roberts) Amendment No. 3643, to express the sense of the Senate concerning the American Red Cross and Critical Biomedical Systems. **Page 18290**

Cochran (for Talent/Bond) Amendment No. 3646, to express the sense of the Senate that the Director of the Office for State and Local Government Coordination and Preparedness be given limited authority to approve requests from State Homeland Security Directors to reprogram Federal homeland security grant funds to address specific security requirements based on credible threat assessments. **Page 18290**

Cochran (for Murkowski) Amendment No. 3644, to encourage the Secretary of Homeland Security to place special emphasis on the recruitment of American Indians, Alaska Natives, and Native Hawaiians into Disaster Assistance Employee cadres maintained by the Emergency Preparedness and Response Directorate. **Page 18290**

Reid Modified Amendment No. 3653, to provide funds for transportation worker identification credentialing and for tracking trucks carrying hazardous material. **Page 18291**

Cochran (for Durbin/Akaka) Amendment No. 3657, to provide for reporting by the Chief Financial Officer and the Chief Information Officer of the Department of Homeland Security. **Page 18291**

Cochran (for Domenici) Amendment No. 3658, to make a technical correction. **Page 18291**

Cochran (for Talent) Amendment No. 3659, to require the Secretary of Agriculture to deploy disaster liaisons

when requested by a Governor or appropriate State agency in a federally declared disaster area. **Page 18291**

Rejected:

Corzine Modified Amendment No. 3619, to appropriate an additional $70,000,000 to enhance the security of chemical plants and to provide an offset. (By 48 yeas to 47 nays (Vote No. 176), Senate tabled the amendment.) **Page 18260**

Dayton Amendment No. 3629, to ensure the continuation of benefits for certain individuals providing security services for Federal buildings. (By 49 yeas to 45 nays (Vote No. 177), Senate tabled the amendment.) **Page 18262**

Kennedy Amendment No. 3626, to require the President to provide to Congress a copy of the Scowcroft Commission report on improving the capabilities of the United States intelligence community. (By 49 yeas to 45 nays (Vote No. 180), Senate tabled the amendment.) **Page 18288**

Clinton Amendment No. 3631, to require the Secretary of Homeland Security to allocate formula-based grants to State and local governments based on an assessment of threats and vulnerabilities and other factors that the Secretary considers appropriate, in accordance with the recommendation of the 9/11 Commission. (By 54 yeas to 39 nays (Vote No. 183), Senate tabled the amendment.) **Pages 18252, 18254, 18287, 18290**

Withdrawn:

Nelson (FL)/Graham (FL) Amendment No. 3652, to provide supplemental disaster relief assistance for agricultural losses in the State of Florida resulting from Hurricanes Charley and Frances. **Page 18284**

During consideration of this measure today, the Senate also took the following action:

By 50 yeas to 45 nays (Vote No. 175), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Mikulski Amendment No. 3624, to increase the amount appropriated for firefighter assistance grants. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Page 18256**

By 44 yeas to 50 nays (Vote No. 178), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Clinton/Schumer Amendment No. 3632, to appropriate an additional $625,000,000 for discretionary grants for high-threat, high-density urban areas. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages 18253, 18255, 18263**

By 48 yeas to 47 nays (Vote No. 179), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 501(b) of H. Con. Res. 95, Fiscal Year 2004 Congressional Budget Resolution, with respect to Byrd Amendment No. 3649, to provide funds for the Transportation Security Administration, United States Coast Guard, and the Office of State and Local Government Coordination and Preparedness. Subsequently, the point of order that the amendment would increase spending in excess of levels permitted by H. Con. Res. 95, was sustained, and the amendment thus falls. **Page 18282**

By 43 yeas to 51 nays (Vote No. 181), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Schumer Amendment No. 3656, to increase funding for rail and transit security grants. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages 18285, 18289**

By 44 yeas to 49 nays (Vote No. 182), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Schumer Amendment No. 3655, to appropriate an additional $350,000,000 to improve the security at points of entry into the United States. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages 18286, 18289**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Cochran, Stevens, Specter, Domenici, McConnell, Shelby, Gregg, Campbell, Craig, Byrd, Inouye, Hollings, Leahy, Harkin, Mikulski, Kohl, and Murray. **Page 18295**

Honoring Former President William Jefferson Clinton: Senate agreed to S. Res. 425, honoring former President William Jefferson Clinton on the occasion of his 58th birthday. **Page 18320**

Small Business Extension: Senate passed H.R. 5008, to provide an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through September 30, 2004, clearing the measure for the President. **Page 18322**

Military Construction Appropriations Agreement: A unanimous-consent agreement was reached providing for consideration of S. 2674, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, at 9:45 a.m., on

Wednesday, September 15, 2004; that the two managers' amendments at the desk be agreed to and no other amendments be in order; that there be one hour of debate equally divided, and at the conclusion or yielding back of time, the bill be returned to the Senate calendar; provided further; that the Senate then proceed to H.R. 4837, House companion measure, that all after the enacting clause be stricken, the text of S. 2674, as amended, be inserted in lieu thereof, the bill be read a third time and the Senate proceed to a vote at a time to be determined by the Majority Leader in consultation with the Democratic Leader; that upon passage of the bill, the Senate insist upon its amendment, request a conference with the House thereon, and the Chair be authorized to appoint conferees. **Page 18320**

Haiti Economic Recovery Opportunity Act—Agreement: A unanimous-consent agreement was reached providing that the Senate request the House to return the papers with respect to S. 2261, to expand certain preferential trade treatment for Haiti. **Page 18320**

Messages From the House: **Page 18299**

Measures Referred: **Page 18300**

Executive Communications: **Page 18300**

Additional Cosponsors: **Page 18303**

Statements on Introduced Bills/Resolutions: **Page 18304**

Additional Statements: **Page 18298**

Amendments Submitted: **Page 18314**

Authority for Committees to Meet: **Page 18319**

Privilege of the Floor: **Page 18320**

Record Votes: Ten record votes were taken today. (Total—184) **Pages 18258, 18262–63, 18283, 18289–90, 18294**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 11:18 p.m., until 9:45 a.m., on Wednesday, September 15, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 18323.)

Committee Meetings

APPROPRIATIONS: INTERIOR/AGRICULTURE/ TRANSPORTATION AND TREASURY

Committee on Appropriations: Committee ordered favorably reported the following bills:

An original bill (S. 2804) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2005;

An original bill (S. 2803) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2005; and

An original bill making appropriations for the Departments of Transportation and Treasury, the Executive Office of the President, and certain independent agencies for the fiscal year ending September 30, 2005.

LAND BILLS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 2532, to establish wilderness areas, promote conservation, improve public land, and provide for the high quality development in Lincoln County, Nevada, S. 2723, to designate certain land in the State of Oregon as wilderness, and S. 2709, to provide for the reforestation of appropriate forest cover on forest land derived from the public domain, after receiving testimony from Senators Reid and Ensign; Representative Gibbons; Mark Rey, Under Secretary of Agriculture for Natural Resources and Environment; Rebecca W. Watson, Assistant Secretary of the Interior for Land and Minerals Management; Mayor Linda Malone, Sandy, Oregon; Jay Ward, Oregon Natural Resources Council, Portland; Jason Spadaro, SDS Lumber Company, Bingen, Washington; Chris DiStefano, International Mountain Bicycling Association, Boulder, Colorado; Michael Newton, Oregon State University Department of Forest Science, Philomath; and John Hiatt, Red Rock Audubon Society, Las Vegas, Nevada, on behalf of the Nevada Wilderness Coalition.

9/11 COMMISSION HUMAN CAPITAL RECOMMENDATIONS

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia concluded a hearing to examine and discuss legislative and administrative options to address human capital recommendations of the National Commission on Terrorist Attacks Upon the United States (9/11 Commission), focusing on improving the presidential appointments process for national security positions, establishing a single agency that conducts security clearance background investigations for U.S. personnel, and providing some additional personnel flexibilities to the Federal Bureau of Investigation to reflect its increased counterterrorism and intelligence responsibilities, after receiving testimony from Fred Fielding, and Jamie S. Gorelick, both Commissioners, National Commission on Terrorist Attacks Upon the United States; Mark Steven Bullock, Assistant Director, Administrative Services Division, Federal Bureau of Investigation, Department of Justice; John A. Turnicky, Special Assistant to the Director of Central Intelligence for Security, Central Intelligence Agency; J. Christopher Mihm, Managing Director of Strategic Issues, Government Accountability Office; Paul C. Light, New York University Robert F. Wagner School of Public Service and the Brookings Institution, C. Morgan Kinghorn, National Academy of Public Administration, and Max Stier, Partnership for Public Service, all of Washington, D.C.; and Doug Wagoner, In-

formation Technology Association of America Security Clearances Task Group, Arlington, Virginia.

GROUP PURCHASING ORGANIZATIONS

Committee on the Judiciary: Subcommittee on Antitrust, Competition Policy and Consumer Rights concluded a hearing to examine maintaining innovation and cost savings relating to hospital group purchasing, focusing on maintaining a group purchasing organization industry that helps hospitals realize significant savings on the best products for their patients, after receiving testimony from Robert Betz, Health Industry Group Purchasing Association, Arlington, Virginia; Joe E. Kiani, Masimo Corporation, Irvine, California; and David A. Balto, Robins, Kaplan, Miller and Ciresi LLP, Washington, D.C.

NOMINATION

Select Committee on Intelligence: Committee concluded a hearing to examine the nomination of Porter J. Goss, of Florida, to be Director of Central Intelligence, after the nominee, who was introduced by Senators Graham (FL) and Nelson (FL), testified and answered questions in his own behalf.

MANDATORY RETIREMENTS

Special Committee on Aging: Committee concluded a hearing to examine mandatory retirement age rules, anti-age-discrimination laws in the private sector, and technology-induced demand and projected worker shortages, after receiving testimony from Abby L. Block, Deputy Associate Director, Center for Employee and Family Support Policy, Office of Personnel Management; Eugene R. Freedman, National Air Traffic Controllers Association, and Jagadeesh Gokhale, Cato Institute, both of Washington, D.C.; Russell B. Rayman, Aerospace Medical Association, Alexandria, Virginia; and Joseph Eichelkraut, Southwest Airlines Pilots' Association, Dallas, Texas.

House of Representatives

Chamber Action

Measures Introduced: 8 public bills, H.R. 5071–5078; and; 9 resolutions, H.J. Res. 103; H. Con. Res. 491–493, and H. Res. 771–775 were introduced. **Page 18441**

Additional Cosponsors: **Page 18442**

Reports Filed: Reports were filed today as follows:

H.R. 2971, to amend the Social Security Act to enhance Social Security account number privacy protections, to prevent fraudulent misuse of the Social Security account number, and to otherwise enhance protection against identity theft, amended referred sequentially to the House Committee on the Judiciary for a period ending not later than Oct. 1, 2004 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X (H. Rept. 108–685, Pt. 1); and

H. Res. 770, providing for consideration of H.R. 5025, making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005 (H. Rept. 108–686). **Page 18441**

Recess: The House recessed at 9:21 a.m. and reconvened at 10 a.m. **Page 18326**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Good Samaritan Volunteer Firefighter Assistance Act of 2003: H.R. 1787, amended, to remove civil liability barriers that discourage the donation of fire equipment to volunteer fire companies, by a ⅔ yea-and-nay vote of 397 yeas to 3 nays, Roll No. 446; and **Pages 18339, 18346**

Volunteer Pilot Organization Protection Act: H.R. 1084, amended, to provide liability protection to nonprofit volunteer pilot organizations flying for public benefit and to the pilots and staff of such organizations, by a ⅔ yea-and-nay vote of 385 yeas to 12 nays, Roll No. 447. **Pages 18342, 18347**

Suspension Failed—Nonprofit Athletic Organization Protection Act of 2003: The House failed to agree to suspend the rules and pass H.R. 3369, to provide immunity for nonprofit athletic organizations in lawsuits arising from claims of ordinary negligence relating to the passage or adoption of rules for athletic competitions and practices, by a ⅔ yea-and-nay vote of 217 yeas to 176 nays, Roll No. 445. **Pages 18333, 18346**

Lawsuit Abuse Reduction Act of 2004: The House passed H.R. 4571, to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, by a yea-and-nay vote of 229 yeas to 174 nays, Roll No. 450. **Page 18348**

Rejected the DeLauro motion to recommit the bill to the Committee on the Judiciary with instruction to report it back to the House forthwith with an amendment, by a recorded vote of 196 ayes to 211 noes, Roll No. 449. **Page 18368**

The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill was adopted. **Page 18348**

Rejected the Turner of Texas amendment in the nature of a substitute printed in H. Rept. 108–684, by a yea-and-nay vote of 177 yeas to 226 nays, Roll No. 448. **Page 18361**

H. Res. 766, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 228 yeas to 165 nays, Roll No. 444. **Page 18329**

Transportation, Treasury, and Independent Agencies Appropriations Act for FY05: The House began con-

sideration of H.R. 5025, making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005. Further consideration will continue tomorrow, September 15. **Page 18377**

Agreed by unanimous consent to limit further amendments offered and the time for debate on such amendments. **Page 18433**

Agreed to:

Istook amendment that specifies an amount of funds for operations of the Federal Aviation Administration is to be derived from the Airport and Airway Trust Fund; **Page 18385**

Istook amendment that inserts a section regarding funds for the General Services Administration's Federal Buildings Fund; **Page 18398**

Pombo amendment that prohibits the use of funds for the development or dissemination by the Federal Highway Administration of any version of a programmatic agreement which regards the Dwight D. Eisenhower National System of Interstate and Defense Highways as eligible for inclusion on the National Register of Historic Places; **Page 18426**

Oxley amendment (No. 3 printed in the Congressional Record of September 13) that strikes section 216 of the bill regarding the forms of identification accepted by financial institutions (agreed to limit the time for debate on the amendment) (by a recorded vote of 222 ayes to 177 noes, Roll No. 452); and **Pages 18403, 18431**

Kelly amendment that increases funds for the Financial Crimes Enforcement Network for Salaries and Expenses (agreed to limit time for debate on the amendment) (by a recorded vote of 360 ayes to 37 noes, Roll No. 454). **Pages 18429, 18432**

Rejected:

Jefferson amendment that sought to strike section 103 of the bill regarding the Louis Armstrong New Orleans International Airport; and **Page 18386**

DeLauro amendment that sought to prohibit the use of funds to enter into any contract with an incorporated entity where such entity's sealed bid or competitive proposal shows that such entity is incorporated in Bermuda, Barbados, the Cayman Islands, Antigua, or Panama (agreed to limit time for debate on the amendment) (by a recorded vote of 189 ayes to 211 noes, Roll No. 453). **Pages 18427, 18432**

Point of Order sustained against:

page 5 lines 22–26, regarding Payments to Air Carriers; **Page 18384**

page 6 lines 13–14, regarding the Airport and Airway Trust Fund; **Page 18384**

page 11 line 1 through page 12 line 15, regarding Grants-In-Aid for Airports; **Page 18385**

page 14 line 20 through page 15 line 3, regarding administrative expenses for the Federal Highway Administration; **Page 18387**

page 15 lines 4–22, regarding the Highway Trust Fund; **Page 18387**

page 16 line 4, the phrase "notwithstanding any other provision of law,"; **Page 18387**

page 16 lines 13–20, regarding the rescission of funds for the Highway Trust Fund; **Page 18387**

section 123, regarding item number 89 in the Transportation Equity Act for the 21st Century; **Page 18389**

section 125, regarding grants for surface transportation projects; **Page 18389**

section 127, regarding environmental streamlining activities; **Page 18389**

page 24 line 15 through page 25 line 20, regarding administrative expenses for the Federal Motor Carrier Safety Administration; **Page 18390**

page 25 line 21 through page 26 line 19, regarding the National Motor Carrier Safety Program; **Page 18390**

section 143, regarding implementation of certain sections of the Code of Federal Regulations; **Page 18390**

page 27 line 19 through page 28 line 10, regarding Operations and Research for the National Highway Traffic Safety Administration; **Page 18390**

page 28 lines 11–22, regarding Operations and Research for the Highway Trust Fund; **Page 18391**

page 29 lines 1–14, regarding the National Driver Register; **Page 18391**

page 29 line 15 through page 30 line 20, regarding Highway Traffic Safety Grants; **Page 18392**

section 151, regarding the National Highway Traffic Safety Administration; **Page 18392**

page 32 lines 2–6, regarding Safety and Operations of the Federal Railroad Administration; **Page 18392**

page 32 lines 7–10, regarding Railroad Research and Development; **Page 18392**

page 32 line 11 though page 33 line 5, regarding the Railroad Rehabilitation and Improvement Program; **Page 18392**

page 33 lines 6–10, regarding Next Generation High-Speed Rail; **Page 18393**

page 33 line 20 though page 37 line 20, regarding Grants to National Railroad Passenger Corporation; **Page 18393**

section 161, regarding the Federal Railroad Administration; **Page 18396**

section 162, regarding Amtrak's Annual Report and Budget Request; **Page 18396**

page 40 line 13 through page 42 line 15, regarding administrative expenses of the Federal Transit Administration; **Page 18396**

page 42 lines 16–21, regarding Formula Grants; **Page 18397**

page 42 lines 22–26, regarding University Transportation Research; **Page 18397**

page 43 lines 1–16, regarding Transit Planning and Research; **Page 18397**

page 43 line 17 through page 44 line 14, regarding Trust Fund Share of Expenses; **Page 18397**

page 44 line 15 through page 47 line 19, regarding Capital Investment Grants; **Page 18398**

page 47 line 20 through page 48 line 3, regarding Job Access and Reverse Commute Grants; **Page 18398**

section 174, regarding the San Francisco Muni Third Street Light Rail Transit project; **Page 18398**

section 177, regarding the Oklahoma Transit Association; **Page 18399**

page 56 lines 6–20, regarding the Surface Transportation Board; **Page 18399**

section 505, regarding the city of Norman, Oklahoma; **Page 18425**

section 636, regarding products or services offered by Federal Prison Industries, Inc.; **Page 18425**

page 85 lines 10–19, regarding a proviso relating to High Intensity Drug Trafficking Areas Programs; **Page 18425**

section 642, regarding section 3716 of title 31, United States Code; **Page 18425**

section 643, regarding the Social Security Act; **Page 18425**

section 644, regarding section 6402 of the Internal Revenue Code of 1986; **Page 18426**

section 407, regarding the Middle River Depot at Middle River, Maryland; **Page 18426**

section 408, regarding section 572 of title 40, United States Code; **Page 18426**

section 409, regarding the General Services Administration's Federal Buildings Fund; **Page 18426**

section 410, regarding Land Conveyance in Nahant, Massachusetts; **Page 18426**

section 509, regarding the Buy America Act; **Page 18426**

section 510, regarding the purchase of American-made equipment and products; **Page 18426**

section 511, regarding products not made in America that are labeled as American-made; **Page 18426**

section 628, regarding the Office of Personnel Management; **Page 18426**

section 637, regarding government charge cards; **Page 18426**

section 640, regarding reports due to Congress; and **Page 18426**

section 646, regarding the Limitation on Conversion to Contractor Performance. **Page 18426**

H. Res. 770, the rule providing for consideration of the bill was agreed to by a voice vote, after agreeing to order the previous question by a yea-and-nay vote of 235 yeas to 170 nays, Roll No. 451. **Page 18371**

Amendments: Amendments ordered printed pursuant to the rule appear on page 18443.

Quorum Calls—Votes: Seven yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages 18345–48, 18368, 18370, 18376, and 18431–33. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 11:44 p.m.

Committee Meetings

ISSUANCE OF SUBPOENAS—E-RATE PROGRAM INVESTIGATION

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations approved a motion authorizing the issuance of a subpoena ad testificandum to each of the following individuals: Judy Green; Emma Epps; Douglas Benit; Quentin R. Lawson; and Carl Muscari, in connection with its investigation of the E-Rate Program.

RATINGS GAME: IMPROVING TRANSPARENCY AND COMPETITION AMONG CREDIT UNION AGENCIES

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "The Ratings Game: Improving Transparency and Competition Among the Credit Rating Agencies." Testimony was heard from public witnesses.

HOMELAND SECURITY: MONITORING NUCLEAR POWER PLANT SECURITY

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Homeland Security: Monitoring Nuclear Power Plant Security." Testimony was heard from Luis A. Reyes, Executive Director, Operations, NRC; Jim Wells, Director, Natural Resources and Environment, GAO; and public witnesses.

OVERSIGHT—LESSONS LEARNED FROM 2004 OVERSEAS CENSUS TEST

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held an oversight hearing entitled "Lessons Learned from the 2004 Overseas Census Test." Testimony was heard from Charles Louis Kincannon, Director, Bureau of the Census, Department of Commerce; Patricia Dalton, Director, Strategic Issues, GAO; and public witnesses.

AFRICA—MALARIA AND TUBERCULOSIS

Committee on International Relations: Subcommittee on Africa held a hearing on Malaria and Tuberculosis in Africa. Testimony was heard from E. Anne Peterson, Assistant Administrator, Bureau for Global Health, AID, Department of State; and public witnesses.

U.S.-EUROPEAN COOPERATION ON COUNTERTERRORISM

Committee on International Relations: Subcommittee on Europe and the Subcommittee on International Terrorism, Nonproliferation and Human Rights held a joint hearing on U.S.-European Cooperation on Counterterrorism: Achievements and Challenges. Testimony was heard from William T. Pope, Principal Deputy Coordinator, Counterterrorism, Department of State; S. Stewart Verdery, Jr., Assistant Secretary, Policy and Planning, Department of Homeland Security; Bruce Swartz, Deputy Assistant Attorney General, Criminal Division, Department of Justice; and Gijs De Vries, Counter-terrorism Co-ordinator, European Union.

OVERSIGHT—DUE PROCESS AND THE NCAA

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on Due Process and the NCAA. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES; PRIVATE RELIEF MEASURES

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims approved for full Committee action the following bills: H.R. 775, Security and Fairness Enhancement for America Act of 2003; and H.R. 4306, amended, To amend section 274A of the Immigration and Nationality Act to improve the process for verifying an individual's eligibility for employment.

The Subcommittee also approved private relief measures.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held a hearing on the following bills: H.R. 305, Kate Mullany National Historic Site; H.R. 2237, 225th Anniversary of the American Revolution Commemoration Act; H.R. 3258, Hibben Center Act; H.R. 4285, To provide for the conveyance of certain public land in Clark County, Nevada, for use as a heliport; H.R. 4667, Tapoco Project Licensing Act of 2004; H.R. 4683, Gullah/Geechee Cultural Heritage Act; H.R. 4808, To provide for a land exchange involving private land and Bureau of Land Management land in the vicinity of Holloman Air Force Base, New Mexico, for the purpose of removing private land from the required safety zone surrounding munitions storage bunkers at Holloman Air Force Base; H.R. 4817, To facilitate the resolution of a minor boundary encroachment on lands of the Union Pacific Railroad Company in Tipton, California, which were originally conveyed by the United States as part of the right-of-way granted for the construction of transcontinental railroads; and H.R. 4887, Cumberland Island Wilderness Boundary Adjustment Act of 2003. Testimony was heard from Representatives McNulty, Hinchey, Wilson of New Mexico, Clyburn and Kingston; the following officials of the Department of the Interior: Sue Masica, Associate Director, Park Planning, Facilities, and Lands, National Park Service; and Tom Lonnie, Assistant Director, Minerals, Realty and Resource Protection, Bureau of Land Management; and public witnesses.

TRANSPORTATION, TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS FISCAL YEAR 2005

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of general debate on H.R. 5025, making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions.

HOMELAND SECURITY: 9/11 COMMISSION AND THE COURSE AHEAD

Select Committee on Homeland Security: Held a hearing entitled "Homeland Security: The 9/11 Commission and the Course Ahead." Testimony was heard from Tom Ridge, Secretary of Homeland Security.

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Wednesday, September 15, 2004

Senate

Chamber Action

Routine Proceedings, pages 18497–18624

Measures Introduced: Seven bills and five resolutions were introduced, as follows: S. 2805–2811, S. Res. 426–429, and S. Con. Res. 137. **Page 18544**

Measures Reported:

S. 2806, making appropriations for the Departments of Transportation and Treasury, the Executive Office of the President, and certain independent agencies for the fiscal year ending September 30, 2005. (S. Rept. No. 108–342)

H.R. 2912, to reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government. (S. Rept. No. 108–343)

S. 2809, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005. (S. Rept. No. 108–344)

S. 2810, making appropriations for the Departments of Labor, Health, and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005. (S. Rept. No. 108–345) Page 18544

Measures Passed:

Sudan Membership Suspension: Senate agreed to S. Con. Res. 137, calling for the suspension of Sudan's membership on the United Nations Commission on Human Rights. Page 18572

Federal Trade Commission Reauthorization Act: Senate passed S. 1234, to reauthorize the Federal Trade Commission, after agreeing to the committee amendment in the nature of a substitute and the following amendment proposed thereto: Page 18575

Frist (for McCain/Hollings/Smith) Amendment No. 3662, in the nature of a substitute. Page 18580

Commending Maryland Olympic Athletes: Senate agreed to S. Res. 426, commending Maryland's Olympians on their accomplishments at the 2004 Summer Olympic Games in Athens, Greece. Page 18580

National Historically Black College and Universities Week: Committee on the Judiciary was discharged from further consideration of S. Res. 422, expressing the sense of the Senate that the President should designate the week beginning September 12, 2004, as "National Historically Black Colleges and Universities Week", and the resolution was then agreed to. Page 18581

Fish Passage and Screening Facilities: Senate passed S. 1307, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to assist in the implementation of fish passage and screening facilities at non-Federal water projects, after agreeing to a committee amendment in the nature of a substitute. Page 18583

Wallowa Lake Dam Rehabilitation and Water Management Act: Senate passed S. 1355, to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon, after agreeing to a committee amendment in the nature of a substitute. Page 18584

Alaska Native Allotment Subdivision Act: Senate passed S. 1421, to authorize the subdivision and dedication of restricted land owned by Alaska Natives, after agreeing to a committee amendment in the nature of a substitute. Page 18585

Southwest Forest Health and Wildfire Prevention Act: Senate passed H.R. 2696, to establish Institutes to demonstrate and promote the use of adaptive ecosystem management to reduce the risk of wildfires, and restore the health of fire-adapted forest and woodland ecosystems of the interior West, clearing the measure for the President. Page 18586

New Mexico Water Conservation Project: Senate passed S. 1071, to authorize the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study on a water conservation project within the Arch Hurley Conservancy District in the State of New Mexico, after agreeing to a committee amendment. Page 18586

Valles Caldera Preservation Act: Senate passed S. 1582, to amend the Valles Preservation Act to improve the preservation of the Valles Caldera, after agreeing to a committee amendment in the nature of a substitute. Page 18586

Manhattan Project National Historical Study Act: Senate passed S. 1687, to direct the Secretary of the Interior to conduct a study on the preservation and interpretation of the historic sites of the Manhattan Project for potential inclusion in the National Park System, after agreeing to a committee amendment in the nature of a substitute. Page 18587

Craig Recreation Land Purchase Act: Senate passed S. 1778, to authorize a land conveyance between the United States and the City of Craig, Alaska, after agreeing to a committee amendment in the nature of a substitute. Page 18588

Lease Lot Conveyance Amendments: Senate passed S. 1791, to amend the Lease Lot Conveyance Act of 2002 to provide that the amounts received by the United States under that Act shall be deposited in the reclamation fund. Page 18589

Johnstown Flood National Memorial Boundary Adjustment Act: Senate passed H.R. 1521, to provide for additional lands to be included within the boundary of the Johnstown Flood National Memorial in the State of Pennsylvania, clearing the measure for the President. Page 18589

Forest Counties Payments Committee: Senate passed H.R. 3249, to extend the term of the Forest Counties Payments Committee, clearing the measure for the President. Page 18589

Arapaho and Roosevelt National Forests Land Exchange Act: Senate passed S. 2180, to direct the Secretary of Agriculture to exchange certain lands in the Arapaho and Roosevelt National Forests in the State of Colorado, after agreeing to a committee amendment in the nature of a substitute. Page 18589

Alaska Hydroelectric Project Extension: Senate passed S. 2243, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska. Page 18591

Carpinteria and Montecito Water Distribution Systems Conveyance Act: Senate passed H.R. 1648, to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the

Montecito Water District, clearing the measure for the President. Page 18591

Williamson County Water Recycling Act: Senate passed H.R. 1732, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project, clearing the measure for the President. Page 18591

North Loup Irrigation Project: Senate passed H.R. 3209, to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project, clearing the measure for the President. Page 18591

National Aviation Heritage Area Act: Senate passed S. 180, to establish the National Aviation Heritage Area, after agreeing to a committee amendment in the nature of a substitute. Page 18591

Northern Rio Grande National Heritage Area Act: Senate passed S. 211, to establish the Northern Rio Grande National Heritage Area in the State of New Mexico. Page 18595

Atchafalaya National Heritage Area Act: Senate passed S. 323, to establish the Atchafalaya National Heritage Area, Louisiana, after agreeing to a committee amendment in the nature of a substitute. Page 18596

Kate Mullany National Historic Act: Senate passed S. 1241, to establish the Kate Mullany National Historic Site in the State of New York, after agreeing to a committee amendment in the nature of a substitute. Page 18598

Dam Safety Authorization: Senate passed S. 1727, to authorize additional appropriations for the Reclamation Safety of Dams Act of 1978, after agreeing to a committee amendment in the nature of a substitute. Page 18599

U.S.-Mexico Transboundary Aquifer Assessment Act: Senate passed S. 1957, to authorize the Secretary of the Interior to cooperate with the States on the border with Mexico and other appropriate entities in conducting a hydrogeologic characterization, mapping, and modeling program for priority transboundary aquifers, after agreeing to a committee amendment in the nature of a substitute. Page 18599

Everglades Land Exchange: Senate passed S. 2046, to authorize the exchange of certain land in Everglades National Park, after agreeing to a committee amendment in the nature of a substitute. Page 18602

Tapoco Project Licensing Act: Senate passed S. 2319, to authorize and facilitate hydroelectric power licensing of the Tapoco Project, after agreeing to a committee amendment in the nature of a substitute. Page 18602

Wyoming Land Conveyance: Senate passed S. 155, to convey to the town of Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation, after agreeing to a committee amendment. Page 18604

Rio Grande Outstanding Natural Area Act: Senate passed S. 1467, to establish the Rio Grande Natural Area in the State of Colorado, after agreeing to a committee amendment in the nature of a substitute. Page 18604

Edward H. McDaniel American Legion Post No. 22 Land Conveyance Act: Senate passed S. 1521, to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community, after agreeing to committee amendments. Page 18608

Railroad Right-of-Way Conveyance Validation Act: Senate passed H.R. 1658, to amend the Railroad Right-of-Way Conveyance Validation Act to validate additional conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to facilitate the construction of the transcontinental railway, after agreeing to a committee amendment. Page 18608

Big Horn Bentonite Act: Senate passed S. 203, to provide for the sale of bentonite in Big Horn County, Wyoming, after agreeing to a committee amendment in the nature of a substitute. Page 18609

Federal Land Recreational Visitor Protection Act: Senate passed S. 931, to direct the Secretary of Agriculture to undertake a program to reduce the risks from and mitigate the effects of avalanches on recreational users of public land, after agreeing to a committee amendment in the nature of a substitute. Page 18609

El Camino Real de los Tejas National Historic Trail Act: Senate passed S. 2052, to amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail, after agreeing to a committee amendment in the nature of a substitute. Page 18610

Lewis and Clark National Historical Park Act: Senate passed S. 2167, to establish the Lewis and Clark National Historical Park in the States of Washington and Oregon, after agreeing to committee amendments. Page 18611

Sand Creek Massacre National Historic Site Trust Act: Senate passed S. 2173, to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000, after agreeing to a committee amendment in the nature of a substitute. Page 18613

Utah Land Conveyance: Senate passed S. 2285, to direct the Secretary of the Interior to convey a parcel of real

property to Beaver County, Utah, after agreeing to a committee amendment in the nature of a substitute.
Page 18614

Jean Lafitte National Historical Park and Preserve Boundary Adjustment Act: Senate passed S. 2287, to adjust the boundary of the Barataria Preserve Unit of Jean Lafitte National Historical Park and Preserve in the State of Louisiana, after agreeing to committee amendments.
Page 18614

New Mexico Water Planning Assistance Act: Senate passed S. 2460, to provide assistance to the State of New Mexico for the development of comprehensive State water plans, after agreeing to a committee amendment in the nature of a substitute. Page 18615

Lake Nighthorse Designation: Senate passed S. 2508, to redesignate the Ridges Basin Reservoir, Colorado, as Lake Nighthorse, after agreeing to a committee amendment. Page 18616

Chimayo Water Supply System and Espanola Filtration Facility Act: Senate passed S. 2511, to direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico, after agreeing to a committee amendment in the nature of a substitute. Page 18616

National Heritage Partnership Act: Senate passed S. 2543, to establish a program and criteria for National Heritage Areas in the United States, after agreeing to a committee amendment in the nature of a substitute.
Page 18618

Mount Rainier National Park Boundary Adjustment Act: Senate passed H.R. 265, to provide for an adjustment of the boundaries of Mount Rainier National Park, clearing the measure for the President. Page 18622

San Gabriel Basin Demonstration Project Authorization: Senate passed H.R. 1284, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to increase the Federal share of the costs of the San Gabriel Basin demonstration project, after agreeing to a committee amendment. Page 18622

Martin Luther King Land Exchange: Senate passed H.R. 1616, to authorize the exchange of certain lands within the Martin Luther King, Junior, National Historic Site for lands owned by the City of Atlanta, Georgia, clearing the measure for the President. Page 18622

Timucuan Ecological and Historic Preserve Boundary Revision Act: Senate passed H.R. 3768, to expand the Timucuan Ecological and Historic Preserve, Florida, clearing the measure for the President. Page 18622

Water Supply, Reliability, and Environmental Improvement: Senate passed H.R. 2828, to authorize the Secretary of the Interior to implement water supply technology and infrastructure programs aimed at increasing and diversifying domestic water resources, after taking action on the following amendment: Page 18622

Frist (for Feinstein/Domenici/Bingaman) Amendment No. 3663, in the nature of a substitute. Page 18622

Military Construction Appropriations: Pursuant to the order of September 14, 2004, Senate completed consideration of H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 2674, Senate companion measure, and after taking action on the following amendments proposed thereto:
Page 18497

Adopted:

Hutchison/Feinstein Amendment No. 3660, to direct the Defense Department to assess the impacts on the military family housing program if the family housing privatization limitation is not eliminated. Page 18497

Hutchison/Feinstein Amendment No. 3661, to make available additional funds for the Commission on Review of Overseas Military Facility Structure of the United States. Page 18497

Subsequently, S. 2674 was returned to the Senate calendar.

Legislative Branch Appropriations—Agreement: A unanimous-consent agreement was reached providing for the consideration of S. 2666, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2005, on Tuesday, September 21, 2005, at a time to be determined by the Majority Leader, after consultation with the Democratic Leader; that the floor managers' amendment be agreed to and that no other amendments be in order; that there be one hour for debate; the bill be read a third time and then returned to the Senate calendar; provided further, that the Committee on Appropriations be discharged from further consideration of H.R. 4755, House companion measure; that the text of the bill relating solely to the House remain; that all other texts be stricken and the text of S. 2666, as amended, be inserted and the Senate then proceed to a vote on the H.R. 4755, as amended. Page 18574

Nominations Received: Senate received the following nominations:

Michael J. Harrison, of Connecticut, to be an Assistant Secretary of Agriculture.

Francis J. Harvey, of California, to be Secretary of the Army.

Pamela Hughes Patenaude, of New Hampshire, to be an Assistant Secretary of Housing and Urban Development.

Arden Bement, Jr., of Indiana, to be Director of the National Science Foundation for a term of six years.

J. Michael Seabright, of Hawaii, to be United States District Judge for the District of Hawaii. Page 18623

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

Francis J. Harvey, of California, to be an Assistant Secretary of Defense, which was sent to the Senate on November 6, 2003. Page 18624

Messages From the House: Page 18541

Measures Referred: Page 18542

Executive Communications: Page 18542

Additional Cosponsors: Page 18545

Statements on Introduced Bills/Resolutions: Page 18545

Additional Statements: Page 18541

Amendments Submitted: Page 18553

Authority for Committees to Meet: Page 18563

Privilege of the Floor: Page 18564

Adjournment: Senate convened at 9:45 a.m., and adjourned at 4:29 p.m., until 10 a.m., on Thursday, September 16, 2004 for a pro forma session. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 18623.)

Committee Meetings

APPROPRIATIONS: COMMERCE/JUSTICE/STATE, FOREIGN OPERATIONS/LABOR/HEALTH AND HUMAN SERVICES/EDUCATION

Committee on Appropriations: Committee ordered favorably reported the following bills:

An original bill (S. 2809) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005;

An original bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005; and

An original bill (S. 2810) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005.

FISHERY CONSERVATION AND MANAGEMENT AMENDMENTS

Committee on Commerce, Science, and Transportation: On September 14, 2004, Subcommittee on Oceans, Fisheries, and Coast Guard concluded a hearing to examine S. 2066, to authorize appropriations to the Secretary of Commerce for the Magnuson-Stevens Fishery Conservation and Management Act for fiscal years 2004, 2005, 2006, 2007, and 2008, after receiving testimony from William T. Hogarth, Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce; Rear Admiral R. Dennis Sirois, Assistant Commandant for Operations, U.S. Coast Guard, Department of Homeland Security; Paul L. Kelly, Member, U.S. Commission on Ocean Policy; Stephanie Madsen, Chair, North Pacific Fishery Management Council; Lee R. Crockett, Marine Fish Conservation Network, Washington, D.C.; Madeleine Hall-Arber, Massachusetts Institute of Technology Sea Grant College Program, Cambridge; Terrance J. Quinn, University of Alaska Fairbanks Fisheries Division, Juneau; and Vincent Balzano, Portland, Maine.

CLIMATE CHANGE

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine recent scientific research concerning the impacts of climate change, focusing on climate projections, rising sea levels, climate warming, human health, water resources in California, reduced snowpack and stream flow, wine grapes, dairy, and changes in vegetation distribution, after receiving testimony from Daniel R. Cayan, University of California at San Diego Scripps Institution of Oceanography, La Jolla; Peter Frumhoff, Union of Concerned Scientists, Cambridge, Massachusetts; Claudia Tebaldi, National Center for Atmospheric Research, Boulder, Colorado; and Sheila Watt-Cloutier, Inuit Circumpolar Conference, Iqaluit, Nunavut, Canada.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following bills:

S. Con. Res. 121, supporting the goals and ideals of the World Year of Physics;

S. 437, to provide for adjustments to the Central Arizona Project in Arizona, to authorize the Gila River Indian Community water rights settlement, to reauthorize and amend the Southern Arizona Water Rights Settlement Act of 1982, with an amendment in the nature of a substitute;

S. 511, to provide permanent funding for the Payment In Lieu of Taxes program, with an amendment in the nature of a substitute;

S. 1614, to designate a portion of White Salmon River as a component of the National Wild and Scenic Rivers System, with an amendment in the nature of a substitute;

S. 1678, to provide for the establishment of the Uintah Research and Curatorial Center for Dinosaur National Monument in the States of Colorado and Utah, with an amendment in the nature of a substitute;

S. 1852, to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin, with an amendment in the nature of a substitute;

S. 1876, to authorize the Secretary of the Interior to convey certain lands and facilities of the Provo River Project, with an amendment in the nature of a substitute;

S. 2142, to authorize appropriations for the New Jersey Coastal Heritage Trail Route;

S. 2181, to adjust the boundary of Rocky Mountain National Park in the State of Colorado, with an amendment;

S. 2334, to designate certain National Forest System land in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System;

S. 2374, to provide for the conveyance of certain land to the United States and to revise the boundary of Chickasaw National Recreation Area, Oklahoma, with an amendment in the nature of a substitute;

S. 2408, to adjust the boundaries of the Helena, Lolo, and Beaverhead-Deerlodge National Forests in the State of Montana, with an amendment in the nature of a substitute;

S. 2432, to expand the boundaries of Wilson's Creek Battlefield National Park, with an amendment;

S. 2567, to adjust the boundary of Redwood National Park in the State of California;

S. 2622, to provide for the exchange of certain Federal land in the Santa Fe National Forest and certain non-Federal land in the Pecos National Historical Park in the State of New Mexico, with an amendment in the nature of a substitute;

H.R. 1113, to authorize an exchange of land at Fort Frederica National Monument, with an amendment;

H.R. 1446, to support the efforts of the California Missions Foundation to restore and repair the Spanish colonial and mission-era missions in the State of California and to preserve the artworks and artifacts of these missions, with an amendment in the nature of a substitute;

H.R. 1964, to assist the States of Connecticut, New Jersey, New York, and Pennsylvania in conserving priority lands and natural resources in the Highlands region, with an amendment in the nature of a substitute;

H.R. 2010, to protect the voting rights of members of the Armed Services in elections for the Delegate representing American Samoa in the United States House of Representatives;

H.R. 3706, to adjust the boundary of the John Muir National Historic Site; and

H.R. 4516, to require the Secretary of Energy to carry out a program of research and development to advance high-end computing, with an amendment in the nature of a substitute.

Also, Committee began markup of S. 1354, to resolve certain conveyances and provide for alternative land selections under the Alaska Native Claims Settlement Act related to Cape Fox Corporation and Sealaska Corporation, but did not complete action thereon, and recess subject to call.

BUSINESS MEETING

Committee on Finance: Committee began consideration of S. 333, to promote elder justice and the nomination of J. Russell George, of Virginia, to be Inspector General for Tax Administration, Department of the Treasury, but did not complete action thereon, and recessed subject to the call.

U.S. ASSISTANCE TO IRAQ

Committee on Foreign Relations: Committee concluded a hearing to examine United States efforts to assist the Iraqi people the Iraqi Interim Government, focusing on the Iraq Relief and Reconstruction Fund (IRRF), national elections in Iraq, security and law enforcement, oil infrastructure and capacity, economic development, debt relief, accelerating Iraqi employment, democracy and governance, and legislative requirements, after receiving testimony from Ronald L. Schlicher, Deputy Assistant Secretary for Iraq, Bureau of Near Eastern Affairs, and Joseph W. Bowab, Deputy Assistant Secretary for Foreign Assistance Programs and Budget, Bureau of Resource Management, both of the Department of State.

House of Representatives

Chamber Action

Measures Introduced: 25 public bills, H.R. 5079–5103; 3 resolutions, H.J. Res. 104–105; and H. Res. 776 were introduced. **Page 18494**

Additional Cosponsors: **Page 18495**

Reports Filed: Reports were filed today as follows:

H.R. 3479, to provide for the control and eradication of the brown tree snake on the island of Guam and the prevention of the introduction of the brown tree snake to other areas of the United States, amended (H. Rept. 108–687, Pt. 1); and

H.R. 4794, to amend the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000 to extend the authorization of appropriations (H. Rept. 108–688, Pt. 1). **Page 18494**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bradley to act as Speaker Pro Tempore for today. **Page 18453**

Chaplain: The prayer was offered today by Rev. L. John Gable, Pastor, Crossroads Presbyterian Church in Mequon, Wisconsin. **Page 18453**

Transportation, Treasury, and Independent Agencies Appropriations Act for FY05: The House continued consideration of H.R. 5025, making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September

30, 2005. The bill was also considered yesterday, September 14. Consideration will continue during the legislative week of September 20. **Page 18455**

Agreed yesterday, September 14, to limit further amendments offered and the time for debate on such amendments.

Agreed to:

Capito amendment (No. 10 printed in the Congressional Record of September 14) that prohibits the use of funds to use private companies to collect overdue federal taxes; **Page 18460**

Istook amendment that reduces funding for the Federal Buildings Fund; and **Page 18468**

Brown of Ohio amendment that prohibits the use of funds by the Council of Economic Advisers to produce an Economic Report of the President regarding the inclusion of employment at a retail fast food restaurant as part of the definition of manufacturing employment. **Page 18468**

Rejected:

Hefley amendment (No. 1 printed in the Congressional Record of September 13) that sought to reduce total funding in the bill by one percent (by a recorded vote of 69 ayes to 333 noes, Roll No. 455); and **Pages 18459, 18470**

Moran of Virginia amendment that prohibits the use of funds to carry out, enter into, or renew any contract under chapter 89 of title 5, United States Code, which provides for a health savings account or a health reimbursement account (by a recorded vote of 181 ayes to 223 noes, Roll No. 456). **Pages 18464, 18471**

Withdrawn:

Gutierrez amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to take any action to enforce the rules submitted by the Comptroller of the Currency relating to banking activities, published at 69 Fed. Reg. 1895 and Fed. Reg. 1904; and **Page 18456**

Butterfield amendment that was offered and subsequently withdrawn that sought to prohibit funds to pay administrative expenses to State and local departments of transportation that do not recognize a certification of a disadvantaged business enterprise by any other State. **Page 18459**

H. Res. 770, the rule providing for consideration of the bill was agreed to yesterday, September 14.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. on Friday, September 17; and further that when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, September 21, for Morning Hour debate. **Page 18474**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, September 22. **Page 18474**

Joint Meeting To Receive His Excellency Ayad Allawi, Interim Prime Minister of the Republic of Iraq—Order of Business: Agreed that it be in order at any time of Thursday, September 23 for the Speaker to declare a recess, subject to the call of the chair, for the purpose of receiving in Joint Meeting, His Excellency Ayad Allawi, Interim Prime Minister of the Republic of Iraq. **Page 18474**

Meeting Hour—Thursday, September 23: Agreed that when the House adjourns on Wednesday, it adjourn to meet at 9 a.m. on Thursday, September 23. **Page 18474**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Expressing the thanks of the House and the Nation for the contributions to freedom made by American POW/MIAs: H. Res. 771, expressing the thanks of the House of Representatives and the Nation for the contributions to freedom made by American POW/MIAs on National POW/MIA Recognition Day. **Page 18474**

Senate Message: Message received from the Senate today appears on page 18453.

Amendments: Amendments ordered printed pursuant to the rule appear on page 18496.

Quorum Calls—Votes: Two recorded votes developed during the proceedings of today and appear on pages 18470–72. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 3:24 p.m.

Committee Meetings

RESOLUTION OF INQUIRY—REQUESTING THE PRESIDENT TO PROVIDE INFORMATION TO THE HOUSE RESPECTING THE NATIONAL ENERGY POLICY DEVELOPMENT CORPORATION

Committee on Energy and Commerce: Ordered reported unfavorably H. Res. 745, Of inquiry requesting the President of the United States to provide certain information to the House of Representatives respecting the National Energy Policy Development Group.

FINANCIAL SERVICES ISSUES: A CONSUMER'S PERSPECTIVE

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Financial Services Issues: A Consumer's Perspective." Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Government Reform: Ordered reported the following measures: H.R. 480, To redesignate the facility of the United States Postal Service located at 747 Broadway in Albany, New York, as the "United States Postal Service Henry Johnson Annex"; H.R. 4046, To designate the facility of the United States Postal Service located at 555 West 180th Street in New York, New York, as the "Ser-

geant Riayan A. Tejada Post Office"; H.R. 4807, To designate the facility of the United States Postal Service located at 140 Sacramento Street in Rio Vista, California, as the "Adam G. Kinser Post Office Building"; H.R. 4847, To designate the facility of the United States Postal Service located at 560 Bay Isles Road in Longboat Key, Florida, as the "Lieutenant General James V. Edmundson Post Office Building"; H.R. 4968, To designate the facility of the United States Postal Service located at 25 McHenry Street in Rosine, Kentucky, as the "Bill Monroe Post Office"; H.R. 5027, To designate the facility of the United States Postal Service located at 411 Midway Avenue in Mascotte, Florida, as the "Specialist Eric Ramirez Post Office"; H.R. 5039, To designate the facility of the United States Postal Service located at United States Route 1 in Ridgeway, North Carolina, as the "Eva Holtzman Post Office"; H. Con. Res. 461, Expressing the sense of Congress regarding the importance of life insurance, and recognizing and supporting National Life Insurance Awareness Month; H. Con. Res. 464, Honoring the 10 communities selected to receive the 2004 All-American City Award; H. Res. 772, Supporting the goals and ideals of National Long-Term Care Residents' Rights Week and recognizing the importance the Nation of residents of long-term care facilities, including senior citizens and individuals living with disabilities; H. Res. 761, Congratulating Lance Armstrong on his record-setting victory in the 2004 Tour de France; H. Con. Res. 489, Supporting the goals and ideals of National Preparedness Month; and H. Res. 641, Supporting the goals and ideals of Pancreatic Cancer Awareness Month.

The Committee also approved a consulting contract.

MAKING NETWORX WORK

Committee on Government Reform: Held a hearing entitled "Making Networx Work: An Examination of GSA's Continuing Efforts to Create a Modern, Flexible and Affordable Government Wide Telecommunications Program." Testimony was heard from Sandra Bates, Commissioner, Federal Technology Service, GSA; Linda Koontz, Director, Information Management Issues, GAO; and public witnesses.

FEDERAL CHIEF FINANCIAL OFFICER EVOLVING ROLE

Committee on Government Reform: Subcommittee on Government Efficiency and Financial Management held an oversight hearing entitled "The Evolving Role of the Federal Chief Financial Officer." Testimony was heard from Linda Springer, Controller, OMB; Virginia McMurtry, Specialist in American National Government, Government and Finance Division, CRS, Library of Congress; and public witnesses.

CONQUERING OBESITY

Committee on Government Reform: Subcommittee on Human Rights and Wellness held a hearing entitled "Conquering Obesity: the U.S. Approach to Combating this National Health Crisis." Testimony was heard from Ed Thompson, M.D., Chief, Public Health Practice, Centers for Disease Control and Prevention, Department of Health and Human Services; Eric Bost, Under Secretary, Food, Nutrition, and Consumer Services, USDA; and public witnesses.

PLEDGE PROTECTION ACT; POSTAL ACCOUNTABILITY AND ENHANCEMENT ACT

Committee on the Judiciary: Ordered reported, as amended, the following bills: H.R. 2028, Pledge Protection Act of 2003; and H.R. 4341, Postal Accountability and Enhancement Act.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following measures: H. Res. 556, congratulating the United States Geological Survey on its 125th Anniversary; H.R. 2941, amended, Colorado River Indian Reservation Boundary Correction Act, H.R. 3207, amended, Manhattan Project National Historical Park Study Act of 2003; H.R. 3210, amended, Little Butte/Bear Creek Subbasins Water Feasibility Act; H.R. 3258, amended, Hibben Center ACT; H.R. 3982, To direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah; H.R. 4066, amended, Chickasaw National Recreation Area Land Exchange Act of 2004; H.R. 4282, Native Hawaiian Government Reorganization Act of 2004; H.R. 4285, To provide for the conveyance of certain public land in Clark County, Nevada, for use as a heliport; H.R. 4389, To authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California; H.R. 4469, Angel Island Immigration Station Restoration and Preservation Act; H.R. 4579, Truman Farm Home Expansion Act; H.R. 4588, amended, Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2004; H.R. 4596, To amend Public Law 97–435 to extend the authorization for the Secretary of the Interior to release certain conditions contained in a patent concerning certain land conveyed by the United States to Eastern Washington University until December 31, 2009; H.R. 4667, Tapoco Project Licensing Act of 2004; H.R. 4775, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the El Paso, Texas, water reclamation, reuse, and desalinization project; H.R. 4806, amended, Pine Springs Land Exchange Act; H.R. 4808, amended, To provide for a land exchange involving private land and Bureau of Land Management land in the vicinity of Holloman Air Force Base, New Mexico, for the purpose of removing private land from the required safety zone surrounding munitions storage bunkers at Holloman Air Force Base; H.R. 4817, amended, to facilitate the resolution of a minor boundary

encroachment on lands of the Union Pacific Railroad Company in Tipton, California, which were originally conveyed by the United States as part of the right-of-way granted for the construction of transcontinental railroads; H.R. 4838, amended, Healthy Forests Youth Conservation Corps Act of 2004; H.R. 4893, To authorize additional appropriations for the Reclamation Safety of Dams Act of 1978; H.R. 4984, Potash Royalty Reduction Act of 2004; H.R. 5009, Montana Water Contracts Extension Act of 2004; S. 434, Idaho Panhandle National Forest Improvement Act of 2003; S. 551, Southern Ute and Colorado Intergovernmental Agreement Implementation Act of 2003; and S. 1814, To transfer federal lands between the Secretary of Agriculture and the Secretary of the Interior.

FURTHER PROTECT U.S. AVIATION SYSTEM FROM TERRORIST ATTACKS

Committee on Transportation and Infrastructure: Subcommittee on Aviation approved for full Committee action a measure to Further Protect the U.S. Aviation System from Terrorist Attacks.

COMBATING TERRORISM: THE ROLE OF BROADCAST MEDIA

Select Committee on Homeland Security: Held a hearing entitled "Combating Terrorism: The Role of Broadcast Media," Testimony was heard from public witnesses.

Joint Meetings

U.S. INTERESTS OVERSEAS

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded a hearing to examine how the United States can best utilize the Organization for Security and Cooperation in Europe to advance its political, security and humanitarian interests, after receiving testimony from A. Elizabeth Jones, Assistant Secretary for European and Eurasian Affairs, Stephen G. Rademaker, Assistant Secretary for Arms Control, and Michael G. Kozak, Acting Assistant Secretary for Democracy, Human Rights, and Labor, all of the Department of State.

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Thursday, September 16, 2004

Senate

Chamber Action

Routine proceedings, page 18656

Measures Introduced: Received today, during the adjournment: S. 2812.

Senate met at 9:59:40 a.m. in pro forma session, and adjourned at 9:59:50 a.m. until 2 p.m., on Monday, September 20, 2004.

Measures Reported:

Reported on Thursday, September 16, during the adjournment:

S. 2812, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005. (S. Rept. No. 108–346)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 10 a.m. on Friday, September 17 in pro forma session; and at 12:30 p.m. on Tuesday for Morning Hour debate.

Committee Meetings

No committee meetings were held.

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Friday, September 17, 2004

Senate

Chamber Action

Senate was not in session today. It will next meet at 2 p.m., on Monday, September 20, 2004.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 2 public bills, H.R. 5104–5105; and 2 resolutions, H. Res. 777–778 were introduced.

Page 18665

Additional Cosponsors: Page 18665

Reports Filed: Reports were filed today as follows:

H.R. 1775, to amend title 36, United States Code, to designate the oak tree as the national tree of the United States (H. Rept. 108–689); and

H.R. 4319, to complete the codification of title 46, United States Code, "Shipping", as positive law, amended (H. Rept. 108–690). Page 18665

Speaker: Read a letter from the Speaker wherein he appointed Representative Tom Davis of Virginia to act as Speaker Pro Tempore for today. Page 18657

Senate Messages: Messages received from the Senate today appear on page 18657.

Senate Referrals: S. 155, S. 203, S. 211, S. 323, S. 1071, S. 1241, S. 1307, S. 1355, S. 1421, S. 1467, S. 1521, S. 1582, S. 1791, S. 1957, S. 2052, S. 2173, S. 2285, S. 2287, S. 2460, S. 2508, S. 2511, and S. 2543 were referred to the Committee on Resources; S. 931 was referred to the Committees on Resources, Agriculture, and Government Reform; S. 2243 was referred to the Committee on Energy & Commerce; S. Con. Res. 137 was referred to the Committee on International Relations; and S. 180, S. 1234, S. 1687, S. 1727, S. 1778, S. 2046, S. 2167, S. 2180, and S. 2319 were held at the desk. Page 18663

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:34 a.m.

Committee Meetings

No committee meetings were held.

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Monday, September 20, 2004

Senate

Chamber Action

Routine Proceedings, pages 18670–99

Measures Introduced: Four bills and one resolution were introduced, as follows: S. 2813–2816, and S. Con. Res. 138. Page 18691

Measures Reported:

S. 1211, to further the purposes of title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992, the "Reclamation Wastewater and Groundwater Study and Facilities Act", by directing the Secretary of the Interior to undertake a demonstration program for water reclamation in the Tularosa Basin of New Mexico, with an amendment in the nature of a substitute. (S. Rept. No. 108–347)

S. 1230, to provide for additional responsibilities for the Chief Information Officer of the Department of Homeland Security relating to geospatial information, with an amendment in the nature of a substitute. (S. Rept. No. 108–348)

S. 2347, to amend the District of Columbia College Access Act of 1999 to permanently authorize the public school and private school tuition assistance programs established under the Act, with an amendment. (S. Rept. No. 108–349)

S. 2536, to enumerate the responsibilities of the Officer for Civil Rights and Civil Liberties of the Department of Homeland Security, to require the Inspector General of the Department of Homeland Security to designate a senior official to investigate civil rights complaints, with an amendment. (S. Rept. No. 108–350)

S. 2483, to increase, effective as of December 1, 2004, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans. (S. Rept. No. 108–351)

S. 2486, to amend title 38, United States Code, to improve and enhance education, housing, employment, medical, and other benefits for veterans and to improve and extend certain authorities relating to the administration or benefits for veterans, with an amendment in the nature of a substitute. (S. Rept. No. 108–352) Page 18691

Measures Passed:

Military Construction Appropriations: By a unanimous vote of 91 yeas (Vote No. 185), Senate passed H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, as amended. Page 18678

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair appointed the following conferees on the part of the Senate: Senators Hutchison, Burns, Craig, DeWine, Brownback, Stevens, Feinstein, Inouye, Johnson, Landrieu, and Byrd. Page 18682

Commending John W. Kluge: Senate agreed to S. Con. Res. 138, commending John W. Kluge for his dedication and commitment to the United States on the occasion of his 90th birthday. Page 18696

Department of Homeland Security Appropriations—Agreement: A unanimous-consent agreement was reached providing that the Senate request the House of Representatives return the papers with respect to H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005. Page 18696

Appointments:

Commission on Review of Overseas Military Facility Structure of the United States: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108–132, Section 128, appointed the following individual to the

Commission on Review of Overseas Military Facility Structure of the United States: Admiral Anthony A. Less, of Virginia. **Page 18696**

Ticket to Work and Work Incentives Advisory Panel: The Chair, on behalf of the Democratic Leader, after consultation with the Ranking Member of the Senate Committee on Finance, pursuant to Public Law 106–170, appointed the following individual, Andrew J. Imparato, of Maryland, to serve as a member of the Ticket to Work and Work Incentives Advisory Panel. **Page 18696**

Messages from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, an Executive Order that terminates the emergency declared in Executive Order 12543 with respect to the policies and actions of the government of Libya and revokes related Executive Orders; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–94) **Page 18688**

Nominations Confirmed: Senate confirmed the following nominations:

Stuart W. Holliday, of Texas, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Patrick J. Leahy, of Vermont, to be a Representative of the United States of America to the Fifty-ninth Session of the General Assembly of the United Nations. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

John E. Sununu, of New Hampshire, to be a Representative of the United States of America to the Fifty-ninth Session of the General Assembly of the United Nations. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

A routine list in the Foreign Service. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.) **Pages 18696, 18699**

Nominations Received: Senate received the following nominations:

Jesus H. Delgado-Jenkins, of Illinois, to be an Assistant Secretary of the Treasury.

Susan L. Moore, of Texas, to be an Alternate Representative of the United States of America to the Fifty-ninth Session of the General Assembly of the United Nations.

Beryl A. Howell, of the District of Columbia, to be a Member of the United States Sentencing Commission for the remainder of the term expiring October 31, 2005.

Routine lists in the National Oceanic and Atmospheric Administration. **Page 18698**

Nominations Discharged: The following nominations were discharged from further committee consideration and placed on the Executive Calendar:

Patrick P. O'Carroll, Jr., of Maryland, to be Inspector General, Social Security Administration, which was sent to the Senate on April 8, 2004, from the Senate Committee on Governmental Affairs.

Neil McPhie, of Virginia, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2009, which was sent to the Senate on January 26, 2004, from the Senate Committee on Governmental Affairs. **Page 18691**

Messages From the House: **Page 18689**

Enrolled Bills Presented: **Page 18689**

Executive Communications: **Page 18689**

Additional Cosponsors: **Page 18691**

Statements on Introduced Bills/Resolutions: **Page 18693**

Additional Statements: **Page 18686**

Notices of Hearings/Meetings: **Page 18695**

Authority for Committees to Meet: **Page 18696**

Record Votes: One record vote was taken today. (Total—185) **Page 18680**

Adjournment: Senate convened at 2 p.m., and adjourned at 6:32 p.m., until 9:45 a.m., on Tuesday, September 21, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 18698.)

Committee Meetings

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following business items:

S. 333, to promote elder justice, with an amendment in the nature of a substitute; and

The nomination of J. Russell George, of Virginia, to be Inspector General for Tax Administration, Department of the Treasury.

NOMINATION

Select Committee on Intelligence: Committee concluded a hearing to examine the nomination of Porter J. Goss, of Florida, to be Director of Central Intelligence, after the nominee testified and answered further questions in his own behalf.

OLDER WORKERS

Special Committee on Aging: Committee concluded a hearing to examine the impact of older workers staying on in the workforce past the traditional retirement age of 65, after receiving testimony from former Senator John Glenn, John Glenn Institute, Columbus, Ohio; Jack Valenti, Motion Picture Association of America, Douglas C. Holbrook, American Association of Retired Persons, and

Edward E. Potter, Employment Policy Foundation, all of Washington, D.C.; Ken Dychtwald, Age Wave, San Francisco, California; Sharon A. Brangman, State University of New York Upstate Medical University, Syracuse, on behalf of the American Geriatrics Society; and Victoria Humphrey, Volkswagen of America, Auburn Hills, Michigan.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 12:30 p.m. on Tuesday for Morning Hour debate and at 2 p.m for legislative business.

Committee Meetings

No committee meetings were held.

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Tuesday, September 21, 2004

Senate

Chamber Action

Routine Proceedings, pages 18701–78

Measures Introduced: Ten bills and two resolutions were introduced, as follows: S. 2817–2826, and S. Res. 430–431. **Page 18749**

Measures Reported:

S. 2825, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2005. (S. Rept. No. 108–353)

S. 2826, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005. (S. Rept. No. 108–354)

S. 1530, to provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River, with amendments. (S. Rept. No. 108–355)

S. 2742, to extend certain authority of the Supreme Court Police, modify the venue of prosecutions relating to the Supreme Court building and grounds, and authorize the acceptance of gifts to the United States Supreme Court. **Page 18748**

Measures Passed:

Legislative Branch Appropriations: Pursuant to the order of September 15, 2004, Committee on Appropriations was discharged from further consideration of H.R. 4755, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2005, and by 94 yeas to 2 nays (Vote No. 186), Senate passed the bill, after striking out all text, with the exception of the text of the bill relating solely to the House; and inserting in lieu thereof the text of S. 2666, Senate companion measure, as amended, as follows: **Page 18730**

Campbell Amendment No. 3664, to modify the approval requirement relating to the promulgation of certain regulations by the Capitol Police Board. **Page 18730**

Campbell Amendment No. 3665, to provide that certain claims of Senators and Senate officers and employees are received and approved by the Committee on Rules and Administration. **Page 18730**

Campbell (for Durbin) Amendment No. 3667, to provide funding for, and extend the termination date of, the Commission on the Abraham Lincoln Study Abroad Fellowship Program. **Page 18730**

Campbell (for Stevens/Durbin) Amendment No. 3666, to provide for the expansion of participating eligible foreign states under the Open World Leadership program. **Page 18730**

Subsequently, S. 2666 was returned to the Senate calendar.

Subsequently, H.R. 4755, as passed the Senate, be held at the desk, as if a House message. **Page 18733**

Maritime Transportation Security: Senate passed S. 2279, to amend title 46, United States Code, with respect to maritime transportation security, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 18768**

McConnell (for Hollings/McCain) Amendment No. 3669, in the nature of a substitute. **Page 18775**

IDEA Reauthorization—Agreement: A unanimous-consent agreement was reached providing that when the Senate receives the House message to accompany H.R. 1350, to reauthorize the Individuals with Disabilities Education Act, that if the House amends the Senate amendment, the Senate disagree with the House amendment, insist upon its amendment, and request a conference with the House thereon; provided, alternatively, that if the House requests a conference, the Senate agree to the request for a conference, and in either case, the Chair be authorized to appoint conferees. **Page 18777**

Nomination—Agreement: A unanimous-consent agreement was reached providing for consideration of the nomination of Porter J. Goss, of Florida, to be Director of Central Intelligence, following morning business on Wednesday, September 22, 2004; that there be six hours of debate equally divided; provided further, that upon the

use or yielding back of that time, Senate proceed to a vote on confirmation of the nomination. Page 18777

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report declaring the continuation of the national emergency with respect to persons to commit, threaten to commit, or support terrorism; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–95) Page 18747

Nominations Received: Senate received the following nominations:

William A. Moorman, of Virginia, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

1 Air Force nomination in the rank of general.

Routine lists in the Air Force, Army, Marine Corps, Navy. Page 18777

Measures Read First Time: Page 18748

Executive Communications: Page 18748

Executive Reports of Committees: Page 18748

Additional Cosponsors: Page 18749

Statements on Introduced Bills/Resolutions: Page 18750

Additional Statements: Page 18745

Amendments Submitted: Page 18763

Notices of Hearings/Meetings: Page 18767

Authority for Committees to Meet: Page 18767

Privilege of the Floor: Page 18768

Record Votes: One record vote was taken today. (Total—186) Page 18733

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:14 p.m., until 9:30 a.m., on Wednesday, September 22, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 18777.)

Committee Meetings

9/11 COMMISSION RECOMMENDATIONS

Committee on Appropriations: Committee held a hearing to examine the 9/11 Commission intelligence recommendations, receiving testimony from Henry Kissinger, former Secretary of State; Admiral Dennis C. Blair, USN (Ret.), former Commander, U.S. Pacific Command; General Joe Ralston, USAF (Ret.), former Commander, U.S. European Command and Supreme Allied Commander, Europe, Northern Atlantic Treaty Organization; and Admiral James O. Ellis, Jr., USN (Ret.), former Commander, U.S. Strategic Command.

Hearing will continue on Wednesday, September 22.

APPROPRIATIONS: DC/VA–HUD

Committee on Appropriations: Committee ordered favorably reported the following bills:

An original bill (S. 2826) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005;

An original bill (S. 2825) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2005.

COMMISSION ON OCEAN POLICY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the final report of the U.S. Commission on Ocean Policy which makes recommendations to avert the decline of ocean wildlife and collapse of ocean ecosystems, after receiving testimony from Representative Farr; Vice Admiral Conrad C. Lautenbacher, USN (Ret.), Under Secretary for Oceans and Atmosphere, and Richard A. Feely, Pacific Marine Environmental Laboratory, both of the National Oceanic and Atmospheric Administration, Department of Commerce; Admiral James D. Watkins, USN (Ret.), Chairman, U.S. Commission on Ocean Policy; Alaska Governor Frank H. Murkowski, Juneau, on behalf of the National Governors Association; D. James Baker, Academy of Natural Sciences, Philadelphia, Pennsylvania, former Administrator, National Oceanic and Atmospheric Administration, Department of Commerce; Victoria J. Fabry, California State University San Marcos, San Marcos; Berrien Moore, III, University of New Hampshire Institute for the Study of Earth, Oceans, and Space, Durham; Vice Admiral Roger T. Rufe, The Ocean Conservancy, Washington, D.C.; and Captain Daniel S. Schwartz, University of Washington School of Oceanography, Seattle, on behalf of the Marine Technology Society.

WIRELESS 411 PRIVACY ACT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine S. 1963, to amend the Communications Act of 1934 to protect the privacy right of subscribers to wireless communication services, after receiving testimony from Senator Specter; former Representative Steve Largent, Cellular Telecommunications and Internet Association, and Marc Rotenberg, Electronic Privacy Information Center, both of Washington, D.C.; Dennis F. Strigl, Verizon Wireless, Bedminster, New Jersey; Patrick M. Cox, Qsent, Inc., Portland, Oregon; and Kathleen Pierz, Pierz Group, Clarkston, Michigan.

NOMINATIONS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nominations of Karen

Alderman Harbert, of the District of Columbia, to be an Assistant Secretary of Energy for International Affairs and Domestic Policy, and John S. Shaw, of the District of Columbia, to be an Assistant Secretary of Energy for Environment, Safety and Health, after each nominee testified and answered questions in their own behalf.

LAND BILLS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 784, to revise the boundary of the Petrified Forest National Park in the State of Arizona, S. 2656, to establish a National Commission on the Quincentennial of the discovery of Florida by Ponce de Leon, S. 2499, to modify the boundary of the Harry S Truman National Historic Site in the State of Missouri, S. 1311, to establish the Hudson-Fulton-Champlain 400th Commemoration Commission, and H.R. 2055, to amend Public Law 89–366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore, after receiving testimony from Representative Walter B. Jones; P. Daniel Smith, Special Assistant to the Director, National Park Service, Department of the Interior; David D. Gillette, Northern Arizona University Department of Geology, Flagstaff; and Michael R. Fitzgerald, Twin Buttes Ranch, LLC, Holbrook, Arizona.

INDIAN DETENTION FACILITIES

Committee on Finance: Committee held a hearing to examine the call for reform in Indian jails, focusing on present law and background relating to tax-exempt financing of Indian tribal prisons, and detention facility staffing, receiving testimony from David W. Anderson, Assistant Secretary for Indian Affairs, and Walter Lamar, Acting Director of Law Enforcement Services, both of the Bureau of Indian Affairs, and Earl E. Devaney, Inspector General, all of the Department of the Interior; Tracy A. Henke, Deputy Associate Attorney General, Department of Justice; William Talks About, Jr., Blackfeet Tribal Business Council, Browning, Montana; and Corinna Sohappy, Warm Springs, Oregon.

Hearing recessed subject to the call.

BUSINESS MEETING

Committee on the Governmental Affairs: Committee began mark up of proposed legislation to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, but did not complete action thereon, and will meet again on Wednesday, September 22, 2004.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following bills:

S. 1700, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, with an amendment in the nature of a substitute;

H.R. 1417, to amend title 17, United States Code, to replace copyright arbitration royalty panels with Copyright Royalty Judges, with an amendment in the nature of a substitute; and

S. 2742, to extend certain authority of the Supreme Court Police, modify the venue of prosecutions relating to the Supreme Court building and grounds, and authorize the acceptance of gifts to the United States Supreme Court.

U.S. REFUGEE PROGRAM

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Citizenship concluded a hearing to examine solutions to a global concern regarding the resettlement of refugees, focusing on systemic changes to enhance and expand the U.S. Admissions Program, budget needs for the U.S. Refugee Program, and the refugee crises in Haiti and Sudan, after receiving testimony from Arthur E. Dewey, Assistant Secretary of State for Population, Refugees, and Migration; Eduardo Aguirre, Jr., Director, U.S. Citizenship and Immigration Services, Department of Homeland Security; Charles H. Kuck, Weathersby, Howard, and Kuck, LLC, Atlanta, Georgia; and Mark Franken, Refugee Council, USA, and Lavinia Limon, U.S. Committee for Refugees, both of Washington, D.C.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session and ordered favorably reported the nomination of Porter J. Goss, of Florida, to be Director of Central Intelligence.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 13 public bills, H.R. 5106-5118; and; 4 resolutions; H. Con. Res. 494, and H. Res. 779, 782-783 were introduced. **Page 18863**

Additional Cosponsors: **Page 18864**

Reports Filed: Reports were filed today as follows:

H.R. 2028, to amend title 28, United States Code, with respect to the jurisdiction of Federal courts inferior to the Supreme Court over certain cases and controversies involving the Pledge of Allegiance, amended (H. Rept. 108–691);

H. Res. 780, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–692); and

H. Res. 781, providing for consideration of H.R. 2028, to amend title 28, United States Code, with respect to the jurisdiction of Federal courts inferior to the Supreme Court over certain cases and controversies involving the Pledge of Allegiance (H. Rept. 108–693). **Page 18863**

Speaker: Read a letter from the Speaker wherein he appointed Representative Hensarling to act as Speaker Pro Tempore for today. **Page 18779**

Chaplain: The prayer was offered today by Rev. Gary P. Zola, Executive Director, American Jewish Archives in Cincinnati, Ohio. **Page 18786**

Recess: The House recessed at 12:53 p.m. and reconvened at 2 p.m. **Page 18786**

Library of Congress Trust Fund Board—Appointment: The Chair announced the Speaker's appointment of Mr. J. Richard Fredericks of San Francisco, California to the Library of Congress Trust Fund Board for a five-year term. **Page 18789**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Llagas Reclamation Groundwater Remediation Initiative: H.R. 4459, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California; **Page 18789**

Authorizing the Secretary of the Interior to study the feasibility of designating Castle Nugent Farms as part of the National Park System: H.R. 2663, to authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System; **Page 18791**

Right-to-Ride Livestock on Federal Lands Act of 2004: H.R. 2966, amended, to preserve the use and access of pack and saddle stock animals on public lands, including wilderness areas, national monuments, and other specifically designated areas, administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service where there is a historical tradition of such use; **Page 18791**

Riverside-Corona Feeder Authorization Act: H.R. 3334, amended, to authorize the Secretary of the Interior to participate in the design and construction of the Riverside-Corona Feeder in cooperation with the Western Municipal Water District of Riverside; **Page 18793**

Western Reserve Heritage Areas Study Act: H.R. 3257, amended, to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of establishing the Western Reserve Heritage Area; **Page 18794**

Railroad Right-of-Way Conveyance Validation Act of 2003: Concur in the Senate amendment to H.R. 1658, Private Bill; to amend the Railroad Right-of-Way Conveyance Validation Act to validate additional conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to facilitate the construction of the transcontinental railway—clearing the message for the President; **Page 18796**

Anti-Counterfeiting Amendments of 2003: H.R. 3632, amended, to prevent and punish counterfeiting of copyrighted copies and phonorecords; **Page 18796**

Video Voyeurism Prevention Act of 2003: S. 1301, amended, to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States; and **Page 18799**

Commemorating the opening of the National Museum of the American Indian: S.J. Res. 41, commemorating the opening of the National Museum of the American Indian—clearing the measure for the President. **Page 18827**

Transportation, Treasury, and Independent Agencies Appropriations Act for FY05: The House continued consideration of H.R. 5025, making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005. The bill was also considered on Tuesday, September 14, and Wednesday, September 15. Further consideration will continue on Wednesday, September 22. **Pages 18801, 18824**

Agreed Tuesday, September 14, to limit further amendments offered and the time for debate on such amendments. **Page 18801**

The unanimous consent agreement was amended on Wednesday, September 15 to strike any provision for the amendment by Representative Flake regarding Cuba. **Page 18801**

Agreed to:

Stenholm amendment that prohibits the use of funds to implement any suspension of issuance of obligations of the U.S. for purchase by the Civil Service Retirement and Disability Fund, to implement any suspension of issuance of obligations of the U.S. for purchase by the Thrift Savings Fund for the Government Securities Investment Fund, or to implement any sale or redemption of securi-

ties, obligations, or other invested assets of the Civil Service Retirement and Disability Fund before maturity;

Page 18813

Van Hollen amendment that prohibits the use of funds to implement the revision to OMB Circular A–76 made on May 29, 2003 (by a recorded vote of 210 ayes to 187 noes, Roll No. 457); Pages 18807, 18824

Sanders amendment (No. 5 printed in the Congressional Record of September 13) that prohibits the use of funds to assist in overturning the judicial ruling in the action entitled Kathi Cooper, Beth Harrington, and Matthew Hillesheim, Individually and on Behalf of All Those Similarly Situated vs. IBM Personal Pension Plan and IBM Corporation (by a recorded vote of 237 ayes to 162 noes, Roll No. 458); and Pages 18801, 18825

Davis of Florida amendment (No. 2 printed in the Congressional Record of September 13) that prohibits the use of funds to implement, administer, or enforce restrictions on travel to Cuba for the purpose of visiting relatives (by a recorded vote of 225 ayes to 174 noes, Roll No. 460). Pages 18815, 18826

Rejected:

Norton amendment that prohibits the use of funds to enter into or renew any contract for a high deductible health plan that does not require enrollees to remain enrolled in such plan for at least 3 consecutive years from the date of initial enrollment (by a recorded vote of 175 ayes to 224 noes, Roll No. 459). Pages 18810, 18825

H. Res. 770, the rule providing for consideration of the bill was agreed to on Tuesday, September 14.

Recess: The House recessed at 6:18 p.m. and reconvened at 6:32 p.m. Page 18824

Tax Relief, Simplification, and Equity Act of 2003—Motion To Instruct Conferees: Representative Moore announced his intention to offer a motion to instruct conferees on H.R. 1308, to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit. Page 18827

Presidential Messages: Read a letter from the President wherein he notified Congress of the Termination of the National Emergency with respect to Libya—referred to the Committee on International Relations and ordered printed (H. Doc. 108–216). Page 18789

Read a letter from the President wherein he notified Congress of the Continuation of the National Emergency with respect to persons who commit, threaten to commit, or support terrorism—referred to the Committee on International Relations and ordered printed (H. Doc. 108–217). Page 18801

Discharge Petition: Representative Lee moved to discharge the Committee on Rules from the consideration of H. Res. 748, providing for consideration of H.R. 1102, to establish the National Affordable Housing Trust Fund in the Treasury of the United States to provide for the development, rehabilitation, and preservation of decent, safe, and affordable housing for low-income families (Discharge Petition No. 11).

Senate Message: Message received from the Senate today appears on page 18787.

Senate Referrals: S. Con. Res. 138 was referred to the Committee on Government Reform. Page 18861

Quorum Calls—Votes: Four recorded votes developed during the proceedings of today and appear on pages 18824–27. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:48 p.m.

Committee Meetings

KEEPING SENIORS HEALTHY

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Keeping Seniors Healthy: New Preventive Benefits in the Medicare Modernization Act." Testimony was heard from Carolyn Clancy, M.D., Director, Agency for Healthcare Research and Quality, Department of Health and Human Services; Janet Heinrich, Director, Healthcare/Public Health Issues, GAO; and a public witness.

PECHANGA BAND OF LUISENO MISSION INDIANS LAND TRANSFER ACT

Committee on Resources: Held a hearing on H.R. 4908, Pechanga Band of Luiseno Mission Indians Land Transfer Act of 2004. Testimony was heard from Chad Calvert, Deputy Assistant Secretary, Land and Minerals Management, Department of the Interior; and Mark A. Macarro, Tribal Chairman, Pechanga Band of Luiseno Indians.

SAME-DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Committee granted, by voice vote, a resolution waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of September 22, 2004, providing for consideration or disposition of a conference report to accompany the bill (H.R. 1308) to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit, and for other purposes.

PLEDGE PROTECTION ACT OF 2004

Committee on Rules: Committee granted, by voice vote, a structured rule providing one hour of general debate on H.R. 2028, Pledge Protection Act of 2004, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of

a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Hostettler, Biggert, Akin, Bass, Jackson-Lee, and Watt.

Joint Meetings

AMERICAN LEGION

Joint Hearings: Senate Committee on Veterans' Affairs concluded a joint hearing with the House Committee on Veterans' Affairs to receive the legislative presentation of the American Legion, focusing on budgetary recommendations for the Department of Veterans Affairs for FY 2006, after receiving testimony from Thomas P. Cadmus, American Legion, Washington, D.C.; and Peter Gaytan, National Veterans Affairs and Rehabilitation Commission, Bristow, Virginia.

HUMAN TRAFFICKING

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded a joint hearing with House Committee on Armed Services to examine Department of Defense efforts to enforce policies to combat trafficking in persons, after receiving testimony from Charles S. Abell, Principal Deputy Under Secretary for Personnel and Readiness, and Joseph E. Schmitz, Inspector General, both of the Department of Defense; General Leon J. LaPorte, Commander, U.S. Forces Korea; John R. Miller, Director, Office to Monitor and Combat Trafficking in Persons, Department of State; Sarah Mendelson, Center for Strategic and International Studies, Washington, D.C.; and Martina E. Vandenberg, Jenner and Block, Chicago, Illinois.

TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 1308, to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit, but did not complete action thereon, and recessed subject to call.

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Wednesday, September 22, 2004

Senate

Chamber Action

Routine Proceedings, pages 18880–18951

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 2827–2831, and S. Res. 432. **Page 18936**

Measures Passed:

District of Columbia Appropriations: Committee on Appropriations was discharged from further consideration of H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, and the bill was then passed, after striking all after the enacting clause and inserting in lieu thereof the text of S. 2826, Senate companion measure. **Page 18947**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees: Senators DeWine, Hutchison, Brownback, Stevens, Landrieu, Durbin, and Inouye. **Page 18949**

Subsequently, S. 2826 was returned to the Senate Calendar. **Page 18947**

Burma Human Rights: Committee on Foreign Relations was discharged from further consideration of S. Res. 431, expressing the sense of the Senate that the United Nations Security Council should immediately consider and take appropriate actions to respond to the growing threats posed by conditions in Burma under the illegitimate rule of the State Peace and Development Council, and the resolution was then agreed to. **Page 18950**

Escort Committee—Agreement: A unanimous-consent agreement was reached providing that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency, Ayad Allawi, Prime Minister of the Interim Government of the Republic of Iraq, into the House Chamber for the joint meeting on Thursday, September 23, 2004. **Page 18950**

Nominations Confirmed: Senate confirmed the following nomination:

By 77 yeas to 17 nays (Vote No. Ex. 187), Porter J. Goss, of Florida, to be Director of Central Intelligence. **Pages 18897, 18951**

Messages From the House: Page 18933
Measures Referred: Page 18933
Measures Placed on Calendar: Page 18933
Measures Read First Time: Page 18949
Executive Communications: Page 18933
Executive Reports of Committees: Page 18935
Additional Cosponsors: Page 18936
Statements on Introduced Bills/Resolutions: Page 18937
Additional Statements: Page 18932
Notices of Hearings/Meetings: Page 18946
Authority for Committees to Meet: Page 18946

Record Votes: One record vote was taken today. (Total—187) Page 18929

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:33 p.m., until 11 a.m., on Thursday, September 23, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 18950.)

Committee Meetings

9/11 COMMISSION RECOMMENDATIONS

Committee on Appropriations: Committee concluded a hearing to examine the 9/11 Commission intelligence recommendations, focusing on the quality of analysis, effective information-sharing among agencies, protecting civil liberties, assuring clarity of authority for clandestine operations, and reforming Congressional oversight, after receiving testimony from Richard A. Posner, Judge of the Court of Appeals, 7th Circuit; John J. Hamre, Center For Strategic and International Studies, Washington, D.C., former Under Secretary of Defense; and Dale Watson, former Executive Director of Terrorism and Counter-Intelligence, Federal Bureau of Investigation, Department of Justice.

INSURANCE INDUSTRY

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the condition and regulation of the insurance industry, after receiving testimony from Gregory Serio, New York Department of Insurance, Albany, on behalf of the National Association of Insurance Commissioners; Arthur F. Ryan, Prudential Financial, Newark, New Jersey, on behalf of the American Council of Life Insurers; William H. McCartney, United Services Automobile Association Group, San Antonio, Texas; J. Robert Hunter, Consumer Federation of America, and Brian K. Atchinson, Insurance Marketplace Standards Association, both of Washington, D.C.; Alan F. Liebowitz, OMNIA (Bermuda), Ltd., Purchase, New York, on behalf of the American Bankers Insurance Association; Albert R. Counselman, Riggs, Counselman, Michaels, Downes, Inc., Baltimore, Maryland, on behalf of the Council of Insurance Agents and Brokers; Thomas B. Ahart, Ahart, Frinzi, and Smith Insurance, Phillipsburg, New Jersey, on behalf of the Independent Insurance Agents and Brokers of America, Inc.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 2541, to reauthorize and restructure the National Aeronautics and Space Administration, with amendments;

S. 2393, to improve aviation security, with an amendment;

S. 1798, to provide for comprehensive fire safety standards for upholstered furniture, mattresses, bedclothing, and candles, with an amendment in the nature of a substitute;

S. 2820, to ensure the availability of certain spectrum for public safety entities by amending the Communications Act of 1934 to establish January 1, 2009, as the date by which the transition to digital television shall be completed, with amendments;

S. 1963, to amend the Communications Act of 1934 to protect the privacy right of subscribers to wireless communication services, with an amendment in the nature of a substitute;

S. 1380, to distribute universal service support equitably throughout rural America;

S. 2145, to regulate the unauthorized installation of computer software, to require clear disclosure to computer users of certain computer software features that may pose a threat to user privacy, with an amendment in the nature of a substitute;

S. 2647, to establish a national ocean policy, to set forth the missions of the National Oceanic and Atmospheric Administration, to ensure effective interagency coordination, with an amendment in the nature of a substitute;

S. 2489, to establish a program within the National Oceanic and Atmospheric Administration to integrate Federal coastal and ocean mapping activities, with an amendment in the nature of a substitute;

S. 480, to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996; and

The nominations of Deborah P. Majoras, of Virginia, and Jon D. Leibowitz, of Maryland, both to be Federal Trade Commissioners, sundry nominations for promotion in the U.S. Coast Guard and the National Oceanic and Atmospheric Administration.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Lloyd O. Pierson,

an Assistant Administrator for Africa, United States Agency for International Development, and to be a Member of the Board of Directors of the African Development Foundation, after the nominee, who was introduced by Representative Royce, testified and answered questions in his own behalf.

BUSINESS MEETING

Committee on the Governmental Affairs: Committee ordered favorably reported an original bill to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

S. 2686, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act, with an amendment in the nature of a substitute;

S. 518, to increase the supply of pancreatic islet cells for research, to provide better coordination of Federal efforts and information on islet cell transplantation, and to collect the data necessary to move islet cell transplantation from an experimental procedure to a standard therapy, with an amendment in the nature of a substitute;

S. 2283, to extend Federal funding for operation of State high risk health insurance pools, with an amendment in the nature of a substitute;

S. 1217, to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls, with an amendment in the nature of a substitute;

S. 2815, to give a preference regarding States that require schools to allow students to self-administer medication to treat that student's asthma or anaphylaxis;

S. 2526, to reauthorize the Children's Hospitals Graduate Medical Education Program, with an amendment in the nature of a substitute;

S. Res. 389, expressing the sense of the Senate with respect to prostate cancer information;

An original bill entitled "Elder Justice Act"; and

The nominations of Jonathan Baron, of Maryland, Elizabeth Bryan, of Texas, James R. Davis, of Mississippi, Frank H. Handy, of Florida, Eric Hanushek, of California, Caroline Hoxby, of Massachusetts, Roberto Lopez, of Texas, Richard Milgram, of New Mexico, Sally Shaywitz, of Connecticut, Joseph Torgesen, of Florida, Herbert Walberg, of Illinois, each to be a Member of the Board of Directors of the National Board for Education Sciences, Herman Belz, of Maryland, Craig Haffner, of California, James Hunter, of Virginia, Tamar Jacoby, of New Jersey, Harvey Klehr, of Georgia, Thomas Lindsay, of Texas, Iris Love, of Vermont, Thomas Mallon, of Connecticut, and Ricardo Quinones, of California, each to be a Member of the National Council on the Humanities, Beverly Allen, of Georgia, Gail Daly, of Texas, Donald Leslie, of Wisconsin, Amy Owen, of Utah, Sandra Pickett, of Texas, Renee Swartz of New Jersey, and Kim Wang, of California, each to be a Member of the National Museum and Library Services Board, James Ballinger, of Arizona, Gerald Schwarz, of Washington, and Terence Teachout, of New York, each to be a Member of the National Council on the Arts, Maria Otero, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace, John Hager, to be an Assistant Secretary of Education for Special Education and Rehabilitative Services, Young Woo Kang, of Indiana, to be a Member of the National Council on Disability, Juan Olivarez, William Hiller, and Richard Wagner, of Florida, each to be a Member of the National Institute for Literacy Advisory Board, Arden Bement, Jr., of Indiana, to be Director of the National Science Foundation, and sundry nominations for promotion in the Public Health Service.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following bills:

S. 556, to amend the Indian Health Care Improvement Act to revise and extend that Act, with an amendment in the nature of a substitute;

S. 1438, to provide for equitable compensation of the Spokane Tribe of Indians of the Spokane Reservation in settlement of claims of the Tribe concerning the contribution of the Tribe to the production of hydropower by the Grand Coulee Dam, with an amendment in the nature of a substitute; and

S. 2605, to direct the Secretary of the Interior and the heads of other Federal agencies to carry out an agreement resolving major issues relating to the adjudication of water rights in the Snake River Basin, Idaho, with an amendment in the nature of a substitute.

Also, Committee approved the issuance of various subpoenas pursuant to the In re Tribal Lobbying Matters, et al. investigation.

NATIVE AMERICAN CODE TALKERS

Committee on Indian Affairs: Committee concluded an oversight hearing on the contributions of Native American code talkers in American military history, after receiving testimony from Gordon H. Mansfield, Deputy Secretay of Veterans Affairs; Brigadier General John S. Brown, USA (Ret.), U.S. Army Center of Military History; Clarence Wolf Guts, and John Yellow Bird Steele, both of the Oglala Sioux Tribe, Pine Ridge, South Dakota; Don Loudner, American Indian Veterans of the United States, Mitchell, South Dakota; Robin Roberts, USMC (Ret.), Sac Fox Tribe, and Samson Keahna, Sac and Fox Tribe of the Mississippi in Iowa, both of Tama, Iowa; Gregory E. Pyle, Choctaw Nation of Oklahoma, Durant; Melvin Kerchee, Jr., Comanche Nation, Lawton, Oklahoma; and William C. Meadows, Southwest Missouri State Univer-

sity Department of Sociology and Anthropology, Springfield.

COUNTERTERRORISM

Committee on the Judiciary: Committee concluded a hearing to examine counterterrorism legislation and proposals, including the USA PATRIOT Act (P.L. 107–56), after receiving testimony from Senators Craig and Durbin; former Representative Bob Barr; James B. Comey, Deputy Attorney General, Department of Justice; and Daniel P. Collins, Munger, Tolles, and Olson, LLP, Los Angeles, California, former Associate Deputy Attorney General, Department of Justice.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Christopher A. Boyko, to be United States District Judge for the Northern District of Ohio, who was introduced by Senator DeWine and Representative LaTourette, and Beryl A. Howell, of the District of Columbia, who was introduced by Senator Leahy, to be a Member of the United States Sentencing Commission, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Measures Introduced: 10 public bills, H.R. 5119–5128; and; 11 resolutions, Con. Res. 495–496, and H. Res. 784, 786–793 were introduced. **Page 19066**

Additional Cosponsors: **Page 19067**

Reports Filed: Reports were filed today as follows:

H.R. 4555, to amend the Public Health Service Act to revise and extend provisions relating to mammography quality standards, amended (H. Rept. 108–694); and

H. Res. 785, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–695). **Page 19066**

Chaplain: The prayer was offered today by Rev. Austin DeLoach, Jr., Pastor, Southside Baptist Church in Lakeland, Georgia. **Page 18952**

Transportation, Treasury, and Independent Agencies Appropriations Act for FY05: The House passed H.R. 5025, making appropriations for the Departments of Transportation and Treasury, and Independent agencies for the fiscal year ending September 30, 2005, by a yea and nay vote of 397 yeas to 12 nays, Roll No. 465. The bill was also considered on Tuesday, September 14, Wednesday, September 15, and Tuesday, September 21. **Page 18957**

Agreed Tuesday, September 14, to limit further amendments offered and the time for debate on such amendments.

The unanimous consent agreement was amended on Wednesday, September 15 to strike any provision for the amendment by Representative Flake regarding Cuba.

A separate vote was demanded on the Stenholm amendment that prohibits the use of funds to implement any suspension of issuance of obligations of the U.S. for purchase by the Civil Service Retirement and Disability Fund, to implement any suspension of issuance of obligations of the U.S. for purchase by the Thrift Savings Fund for the Government Securities Investment Fund, or to implement any sale or redemption of securities, obligations, or other invested assets of the Civil Service Retirement and Disability Fund before maturity, which was agreed to yesterday, September 21, by a voice vote (agreed to by a recorded vote of 404 ayes to 8 noes, Roll No. 463); **Page 18970**

Rejected the Obey motion to recommit the bill to the Committee on Appropriations with instructions to report it back to the House promptly with an amendment, by a yea and nay vote of 201 yeas to 210 nays, Roll No. 464. **Page 18971**

Agreed to:

Lee amendment that prohibits the use of funds to implement, administer, or enforce the amendments made to the Code of Federal Regulations relating to specific licenses for U.S. academic institutions; **Page 18958**

Waters amendment (no. 12 printed in the Congressional Record of September 15) that prohibits the use of funds to implement any sanction imposed by the U.S. on private commercial sales of agricultural commodities, medicine, or medical supplies to Cuba (agreed to by voice vote, after agreeing to vitiate the request for a recorded vote); and **Page 18957**

Olver amendment prohibits the use of funds to issue or implement the proposed regulation entitled Parts and Accessories Necessary for Safe Operation; Certification of Compliance With Federal Motor Vehicle Safety Standards, published in the Federal Register on March 19, 2002 (by a recorded vote of 339 ayes to 70 noes, Roll No. 462). **Pages 18962, 18968**

Rejected:

Rangel amendment that sought to prohibit the use of funds to implement, administer, or enforce the economic embargo of Cuba (by a recorded vote of 188 ayes to 225 noes, Roll No. 461). **Pages 18960, 18968**

H. Res. 770, the rule providing for consideration of the bill was agreed to on Tuesday, September 14.

Suspensions: The House agreed to suspend the rules and pass the following measures:

Civil War Sesquicentennial Commission Act: H.R. 2449, amended, to establish a commission to commemorate the sesquicentennial of the American Civil War; **Page 18973**

Hudson-Fulton-Champlain 400th Commemoration Commission Act of 2003: H.R. 2528, amended, to establish the Hudson-Fulton-Champlain 400th Commemoration Commission; **Page 18976**

Supporting the goals and ideals of National Preparedness Month: H. Con. Res. 489, supporting the goals and ideals of National Preparedness Month; **Page 18979**

Supporting the goals and ideals of National Long-Term Care Residents' Rights Week: H. Res. 772, supporting the goals and ideals of National Long-Term Care Residents' Rights Week and recognizing the importance to the Nation of residents of long-term care facilities, including senior citizens and individuals living with disabilities; **Page 18981**

Expressing the sense of Congress that the President should designate September 11 as a national day of voluntary service, charity, and compassion: H. Con. Res. 473, amended, expressing the sense of Congress that the President should designate September 11 as a national day of voluntary service, charity, and compassion; **Page 18982**

Agreed to amend the title so as to read: expressing the sense of Congress that it is appropriate to annually observe Patriot Day, September 11, with voluntary acts of service and compassion. **Page 18983**

Eva Holtzman Post Office Building Designation Act: H.R. 5039, to designate the facility of the United States Postal Service located at United States Route 1 in Ridgeway, North Carolina, as the "Eva Holtzman Post Office"; **Page 18983**

United States Postal Service Henry Johnson Annex Redesignation Act: H.R. 480, to redesignate the facility of the United States Postal Service located at 747 Broadway in Albany, New York, as the "United States Postal Service Henry Johnson Annex"; **Page 18985**

Congratulating Lance Armstrong on his record-setting victory in the 2004 Tour de France: H. Res. 761, congratulating Lance Armstrong on his record-setting victory in the 2004 Tour de France; **Page 18986**

Recognizing the outstanding efforts of those who assisted the North Platte Canteen in Nebraska during WWII from December 25, 1941 to April 1, 1946: H. Con. Res. 161, amended, recognizing the outstanding efforts of the individuals and communities who volunteered or donated items to the North Platte Canteen in North Platte, Nebraska, during World War II from December 25, 1941, to April 1, 1946; **Page 18988**

Recognizing military unit family support volunteers for there service: H. Con. Res. 486, recognizing and honoring military unit family support volunteers for their dedicated service to the United States, the Armed Forces, and members of the Armed Forces and their families; **Page 18991**

Commending the National Oceanic and Atmospheric Administration: H. Con. Res. 488, amended, commending the National Oceanic and Atmospheric Administration and its employees for its dedication and hard work during Hurricanes Charley and Frances; **Page 18992**

Agreed to amend the title so as to read: commending the National Oceanic and Atmospheric Administration and its employees for its dedication and hard work during Hurricanes Charley, Frances, and Ivan. **Page 18995**

Justin W. Williams United States Attorney's Building Designation Act: H.R. 3428, to designate a portion of the United States courthouse located at 2100 Jamieson Avenue, in Alexandria, Virginia, as the "Justin W. Williams United States Attorney's Building"; **Page 18995**

Joe Skeen Federal Building Designation Act: H.R. 3734, to designate the Federal building located at Fifth and Richardson Avenues in Roswell, New Mexico, as the "Joe Skeen Federal Building"; **Page 18996**

Calling for the suspension of Sudan's membership on the United Nations Commission on Human Rights: S. Con. Res. 137, calling for the suspension of Sudan's membership on the United Nations Commission on Human Rights; **Page 19003**

Condemning the terrorist attack in Jakarta, Indonesia, that occurred on 9/9/04: H. Res 767, amended, condemning the terrorist attack in Jakarta, Indonesia, that occurred on September 9, 2004; **Page 19009**

Encouraging the International Olympic Committee to select New York City as the site of the 2012 Olympic Games: H. Con. Res. 475, encouraging the International Olympic Committee to select New York City as the site of the 2012 Olympic Games; **Page 19011**

Supporting the goals of National Farm Safety and Health Week: H. Con. Res. 494, supporting the goals and purposes of National Farm Safety and Health Week and applauding the men and women who provide a stable supply of food and fiber for the United States and the world; **Page 19013**

Pine Springs Land Exchange Act: H.R. 4806, amended, to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico; **Page 19018**

Authorizing a feasibility study with respect to the Mokelumne River: H.R. 4045, amended, to authorize the Secretary of the Interior to prepare a feasibility study with respect to the Mokelumne River; and **Page 19020**

Creating the Office of Chief Financial Officer for the Government of the Virgin Islands: H.R. 3589, amended, to create the Office of Chief Financial Officer of the Government of the Virgin Islands. **Page 19020**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further consideration will continue tomorrow, September 23.

Adoption Tax Relief Guarantee Act: H.R. 1057, to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs. **Page 18998**

Pledge Protection Act of 2004—Rule for Consideration: The House agreed to H. Res. 781, the rule providing for consideration of H.R. 2028, to amend title 28, United States Code, with respect to the jurisdiction of Federal courts inferior to the Supreme Court over certain cases and controversies involving the Pledge of Allegiance, by voice vote. **Page 19015**

Tax Relief, Simplification, and Equity Act of 2003—Motion to Instruct Conferees: The House debated the Moore motion to instruct conferees on H.R. 1308, to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit. Further proceedings on the motion were postponed. **Page 19023**

Senate Message: Message received from the Senate today appears on page 18952.

Senate Referral: S. 2279 was referred to the Committee on Transportation and Infrastructure. **Page 19065**

Quorum Calls—Votes: Two yea and nay votes and three recorded votes developed during the proceedings of today and appear on pages 18968, 18970, and 18972. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12 p.m.

Committee Meetings

REPAIRING THE 21ST CENTURY CAR

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled "Repairing the 21st Century Car: Is Technology Locking the Consumer Out?" Testimony was heard from public witnesses.

E-RATE PROGRAM INVESTIGATION

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Problems with the E-rate Program: Waste, Fraud, and Abuse Concerns in the Wiring of Our Nation's Schools to the Internet." Testimony was heard from the following officials of the FCC: H. Walker Feaster, III, Inspector General; and Jeffrey Carlisle, Chief, Wireline Competition Bureau; and public witnesses.

In refusing to give testimony at the hearing, the following individuals: Judy Green, former E-rate Consultant and Salesperson, Video Network Communications, Inc., and Quentin R. Lawson, National Alliance of Black School Educators, invoked Fifth Amendments privileges.

9/11 COMMISSION RECOMMENDATIONS

Committee on Financial Services: Held a hearing entitled "Legislative Proposals to Implement the Recommendations of the 9/11 Commission." Testimony was heard from the following officials of the Department of the Treasury: Stuart A. Levey, Under Secretary, Office of Terrorism and Financial Intelligence; and Brian C. Roseboro, Under Secretary, Domestic Finance.

DRUG TREATMENT ACCESS

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Access to Recovery: Improving Participation and Access in Drug Treatment." Testimony was heard from Charles G. Curie, Administrator, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services; Michael Passi, Associate Director, Department of Family and Community Services, City of Albuquerque, NM; and a public witness.

DIETARY SUPPLEMENTS

Committee on Government Reform: Subcommittee on Human Rights and Wellness held a hearing entitled "Dietary Supplements: Nature's Answer to Cost Effective Preventative Medicine." Testimony was heard from Paul Coates, Director, Office of Dietary Supplements, NIH, Department of Health and Human Services; and public witnesses.

COMBATING TERRORISM: 9/11 RECOMMENDATIONS AND NATIONAL STRATEGIES

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Combating Terrorism: The 9/11 Commission Recommendations and the National Strategies." Testimony was heard from the following members of the 9/11 Commission: Slade Gorton; and Richard Ben-Veniste; Norman Rabkin, Managing Director, Homeland Security and Justice Team, GAO; Raphael Perl, Senior Policy Analyst, CRS, Library of Congress; and a public witness.

IDENTITY THEFT

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held an oversight hearing entitled "Identity Theft: The Causes, Costs, Consequences, and Poten-

tial Solutions?" Testimony was heard from Orson Swindle, Commissioner, FTC; Steven Martinez, Deputy Assistant Director, Cyber Division, FBI, Department of Justice; Larry Johnson, Special Agent in Charge, Criminal Investigative Division, U.S. Secret Service, Department of Homeland Security; Patrick O'Carroll, Acting Inspector General, SSA; and public witnesses.

ASIA'S ENVIRONMENTAL CHALLENGES

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on Asia's Environmental Challenges. Testimony was heard from public witnesses.

LIBYA'S WMD DISARMAMENT

Committee on International Relations: Subcommittee on International Terrorism, Nonproliferation and Human Rights held a hearing on Disarmament of Libya's Weapons of Mass Destruction. Testimony was heard from Representative Weldon (PA); and the following officials of the Department of State: Paula A. DeSutter, Assistant Secretary, Bureau of Verification and Compliance; Philo Dibble, Deputy Assistant Secretary, Bureau of Near Eastern Affairs; and Kurt Kessler, Acting Deputy Director, Bureau of Nonproliferation.

JUSTICE FOR ALL ACT; BALANCED BUDGET AMENDMENT

Committee on the Judiciary: Ordered reported H.R. 5107, Justice For All Act of 2004.

The Committee began consideration of H. J. Res. 22, Proposing a balanced budget amendment to the Constitution of the United States.

CIVIL RIGHTS COMMISSION SUBPOENA

Committee on the Judiciary: Subcommittee on the Constitution approved a motion to authorize the issuance of a subpoena to Custodian of Records, United States Commission on Civil Rights.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following measures: H.J. Res. 102, Recognizing the 60th anniversary of the Battle of Peleliu and the end of Imperial Japanese control of Palau during World War II and urging the Secretary of the Interior to work to protect the historic sites of the Peleliu Battlefield National Historic Landmark and to establish commemorative programs honoring the Americans who fought there; H. Res. 737, Recognizing the 60th anniversary of the Liberation of Guam during World War II; H. Res. 752, Expressing continued support for the construction of the Victims of Communism Memorial; H.R. 2440, amended, Indian Health Care Improvement Act; H.R. 3176, amended, Ojito Wilderness Act; H.R. 3283, amended, Federal Lands Recreation Enhancement Act; H.R. 3391, amended, Provo River Project Transfer Act; H.R. 4593, amended, Lincoln County Conservation, Recreation, and Development Act; H.R. 4650, Wichita Project Equus Beds Division Authorization Act of 2004; H.R. 4683, amended, Gullah/Geechee Cultural Heritage Act; H.R. 4887, amended, Cumberland Island Wilderness Boundary Adjustment Act of 2003; H.R. 4908, amended, Pechanga Band of Luiseno Mission Indians Land Transfer Act of 2004; H.R. 5016, To extend the water service contract for the Ainsworth Unit, Sandhills Division, Pick-Sloan Missouri Basin Program, Nebraska; H.R. 5104, To amend the Marine Mammal Protection Act of 1972 to authorize appropriations for the John H. Prescott Marine Mammal Rescue Assistance Grant Program; and S. 347, amended, Rim of the Valley Corridor Study Act.

WATER LEGISLATION

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 2603, To impose limitations on the authority of the Secretary of the Interior to claim title or other rights to water absent specific direction of law or to abrogate, injure, or otherwise impair any right to the use of any quantity of water; H.R. 4580, To remove certain restrictions on the Mammoth Community Water District's ability to use certain property acquired by that District from the United States; and H.R. 4623, Eastern New Mexico Rural Water System Act of 2004. Testimony was heard from Mark Limbaugh, Deputy Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

SAME-DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Committee granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of September 23, 2004, providing for consideration or disposition of a conference report to accompany the bill (H.R. 1308) to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit, and for other purposes.

NATURAL GAS PRICES IMPACT

Committee on Small Business: Subcommittee on Rural Enterprise, Agriculture and Technology held a hearing entitled "The Impact of High Natural Gas Prices on Small Farmers and Manufacturers." Testimony was heard from Representatives King (IA), and Peterson (PA); and public witnesses.

HAITI TRADE PREFERENCES

Committee on Ways and Means: Subcommittee on Trade held a hearing on Trade Preferences for Haiti. Testimony was heard from Senators DeWine and Graham (FL); and public witnesses.

CYBER ISSUES BRIEFING

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Cyber Issues. The Committee was briefed by departmental witnesses.

EMERGENCY WARNING SYSTEMS

Select Committee on Homeland Security: Subcommittee on Emergency Preparedness and Response held a hearing entitled "Emergency Warning Systems: Ways to Notify the Public in the New Era of Homeland Security." Testimony was heard from Reynold N. Hoover, Director, National Security Coordination, Department of Homeland Security; James Dailey, Director, Homeland Security, FCC; and public witnesses.

Joint Meetings

HEALTH INSURANCE

Joint Economic Committee: Committee concluded a hearing to examine consumer choice and addressing "adverse selection" concerns with regard to health care and health insurance, focusing on ways insurance markets might use pooling and pricing of risks to resolve coverage issues, after receiving testimony from Mark V. Pauly, University of Pennsylvania Wharton School, Philadelphia; James H. Cardon, Brigham Young University Department of Economics, Provo, Utah; Jeffrey M. Closs, BENU, Inc., San Mateo, California; and Linda J. Blumberg, Urban Institute, Washington, D.C.

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Thursday, September 23, 2004

Senate

Chamber Action

Routine Proceedings, pages 19223–19341

Measures Introduced: Fourteen bills and two resolutions were introduced, as follows: S. 2832–2845, and S. Res. 433–434. **Page 19292**

Measures Reported:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2005". (S. Rept. No. 108–356)

S. 2484, to amend title 38, United States Code, to simplify and improve pay provisions for physicians and dentists, to authorize alternate work schedules and executive pay for nurses, with an amendment in the nature of a substitute. (S. Rept. No. 108–357)

S. 2840, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government. **Page 19292**

Measures Passed:

Foreign Operations Appropriations: Pursuant to the order of September 23, 2004, Committee on Appropriations was discharged from further consideration of H.R. 4818, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and the bill was then passed, after striking all after the enacting clause and inserting in lieu thereof the text of S. 2812, Senate companion measure, which was considered as original text for the purpose of further amendment, and after taking action on the following amendments proposed thereto: **Page 19265**

Adopted:

Corzine/DeWine Modified Amendment No. 3671, to make available to the Department of State for the purpose of providing support for the rapid expansion of the African Union mission in Darfur, Sudan, $75,000,000, to be designated as an emergency requirement. **Pages 19267, 19272**

McConnell Amendment No. 3680, of a technical nature. **Page 19274**

McConnell (for Leahy) Amendment No. 3681, of a technical nature. **Page 19274**

McConnell/Leahy Amendment No. 3682, regarding USAID operating expenses. **Page 19274**

McConnell (for Frist) Amendment No. 3683, regarding affordable housing. **Page 19274**

McConnell (for Leahy) Amendment No. 3684, regarding assistance for Liberia. **Page 19274**

McConnell (for Grassley/Daschle) Amendment No. 3685, to limit the extension of certain credit. **Pages 19274, 19276**

McConnell (for Leahy) Amendment No. 3686, to express the sense of the Senate on the need for international support for the interim government of Haiti. **Page 19274**

McConnell (for Leahy) Amendment No. 3687, regarding medically accurate information on condom use. **Page 19274**

McConnell (for Byrd) Amendment No. 3688, regarding assistance for Greece. **Page 19274**

McConnell (for Leahy) Amendment No. 3689, relating to obligations under the United States-Colombian treaty on extradition. **Page 19274**

McConnell (for Cantwell) Amendment No. 3690, regarding a report on global poverty and national security. **Page 19274**

McConnell (for Leahy) Amendment No. 3691, regarding assistance for Nepal. **Page 19274**

McConnell (for Boxer) Amendment No. 3692, to provide that $10,000,000 should be made available to reduce

the threat that man-portable air defense systems could be acquired by terrorists or by state sponsors of terrorism. **Page 19275**

McConnell (for Dodd) Amendment No. 3693, to provide $10 million in election related assistance to Haiti through the OAS. **Pages 19275, 19276**

McConnell (for Biden) Amendment No. 3694, to require a report on reform of the education sector in Pakistan. **Pages 19275, 19277**

McConnell (for Leahy) Amendment No. 3695, of a technical nature. **Page 19275**

McConnell (for Coleman) Amendment No. 3696, to urge the President, the United States Permanent Representative to the United Nations, and other appropriate United States officials to work to dissuade member states of the United Nations from supporting resolutions that unfairly castigate Israel and to promote within the United Nations General Assembly more balanced and constructive approaches to resolving conflict in the Middle East. **Page 19275**

McConnell (for Schumer) Amendment No. 3697, to express the sense of Congress on actions of the President to address violations of religious freedom in Saudi Arabia. **Page 19275**

McConnell (for Leahy) Amendment No. 3698, of a technical nature. **Page 19275**

McConnell (for Schumer) Amendment No. 3699, regarding property taxes owed by foreign countries. **Page 19275**

McConnell (for Ensign) Amendment No. 3700, to express support for the sovereignty, territorial integrity, and political independence of Lebanon. **Page 19275**

McConnell (for Bingaman/Leahy) Amendment No. 3701, making funds available for UNFPA. **Page 19276**

Withdrawn:

Dayton/Reid Amendment No. 3672, to provide an additional $500,000,000 for economic development in Afghanistan. **Pages 19270, 19272**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators McConnell, Specter, Gregg, Shelby, Bennett, Campbell, Bond, DeWine, Stevens, Leahy, Inouye, Harkin, Mikulski, Durbin, Johnson, Landrieu, and Byrd. **Page 19280**

U.S. Marshals Anniversary: Senate agreed to S. Res. 433, commemorating the 215th anniversary of the United States Marshals Service. **Page 19334**

U.S. Civic Awareness: Senate agreed to S. Res. 434, recognizing and supporting all efforts to promote greater civic awareness among the people of the United States. **Page 19335**

Olympic Games Congratulations: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. Res. 427, congratulating the citizens of Greece, the members of the Athens 2004 Organizing Committee for the Olympic and Paralympic Games, the International Olympic Committee, the United States Olympic Committee, the 2004 United States Olympic Team, athletes from around the world, and all the personnel who participated in the 2004 Olympic Summer Games in Athens, Greece, and the resolution was then agreed to. **Page 19335**

John Heinz Senate Fellowship Program: Committee on Rules and Administration was discharged from further consideration of S. Res. 428, reauthorizing the John Heinz Senate Fellowship Program, and the resolution was then agreed to. **Page 19336**

Organization for Security and Cooperation In Europe (OSCE): Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 110, expressing the sense of Congress in support of the ongoing work of the Organization for Security and Cooperation in Europe (OSCE) in combating anti-Semitism, racism, xenophobia, discrimination, intolerance, and related violence, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto: **Page 19336**

McConnell (for Campbell) Amendment No. 3677, in the nature of a substitute. **Page 19337**

McConnell (for Campbell) Amendment No. 3678, to propose a substitute to the preamble. **Page 19337**

Suicide Prevention: Committee on Health, Education, Labor and Pensions was discharged from further consideration of S. Con. Res. 119, recognizing that prevention of suicide is a compelling national priority, and the resolution was then agreed to. **Page 19338**

Nonprofit Organization Awards: Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 3389, to amend the Stevenson-Wydler Technology Innovation Act of 1980 to permit Malcolm Baldrige National Quality Awards to be made to nonprofit organizations, and the bill was then passed, clearing the measure for the President. **Page 19338**

Comprehensive Peace In Sudan Act: Committee on Foreign Relations was discharged from further consideration of S. 2781, to express the sense of Congress regarding the conflict in Darfur, Sudan, to provide assistance for the crisis in Darfur and for comprehensive peace in Sudan, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 19338**

McConnell (for Lugar/Biden) Amendment No. 3679, in the nature of a substitute. **Pages 19330, 19339**

Working Families Tax Relief Act—Conference Report: By 92 yeas to 3 nays (Vote No. 188), Senate agreed to the conference report to accompany H.R. 1308, to amend the Internal Revenue Code of 1986 to provide tax

relief for working families, clearing the measure for the President. Page 19244

National Intelligence Reform Act—Agreement: A unanimous-consent agreement was reached providing that on Monday, September 27, 2004, at a time to be determined by the Majority Leader, in consultation with the Democratic Leader, Senate begin consideration of S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government; that all amendments be related to the subject matter of the bill or related to the 9/11 Commission recommendations. Page 19339

Nominations Received: Senate received the following nominations:

Buddie J. Penn, of Virginia, to be an Assistant Secretary of the Navy.

Ryan C. Crocker, of Washington, to be Ambassador to the Islamic Republic of Pakistan.

Marcie B. Ries, of the District of Columbia, to be Ambassador to the Republic of Albania.

Dan Arvizu, of Colorado, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Steven C. Beering, of Indiana, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010. (Reappointment)

Gerald Wayne Clough, of Georgia, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Kelvin Kay Droegemeier, of Oklahoma, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Louis J. Lanzerotti, of New Jersey, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Alan I. Leshner, of Maryland, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Jon C. Strauss, of California, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Kathryn D. Sullivan, of Ohio, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

31 Air Force nominations in the rank of general.

39 Army nominations in the rank of general.

Routine lists in the Army, Coast Guard, Navy. Page 19339

Messages From the House: Page 19289

Measures Referred: Page 19290

Measures Placed on Calendar: Page 19290

Measures Read First Time: Page 19290

Executive Communications: Page 19290

Additional Cosponsors: Page 19293

Statements on Introduced Bills/Resolutions: Page 19294

Additional Statements: Page 19288

Amendments Submitted: Page 19327

Notices of Hearings/Meetings Page 19334

Authority for Committees to Meet: Page 19334

Privilege of the Floor: Page 19334

Record Votes: One record vote was taken today. (Total—188) Page 19265

Adjournment: Senate convened at 11 a.m., and adjourned at 9:56 p.m., until 10 a.m., on Friday, September 24, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 19339.)

Committee Meetings

NATIONAL LABOR RELATIONS BOARD

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies concluded a hearing to examine National Labor Relations Board issues, including whether graduate student assistants are considered employees under the National Labor Relations Act, and the purpose and need for the Board's recognition bar doctrine, after receiving testimony from Robert J. Battista, Chairman, Arthur F. Rosenfeld, General Counsel, and Wilma B. Liebman, Member, all of the National Labor Relations Board; John B. Langel, Ballard Spahr Andrews and Ingersoll, and Christina Collins, on behalf of Graduate Employees Together-University of Pennsylvania, both of the University of Pennsylvania, Philadelphia; Nancy Schiffer, AFL–CIO, Washington, D.C.; and William L. Messenger, National Right to Work Legal Defense Foundation, Springfield, Virginia.

GLOBAL POSTURE REVIEW

Committee on Armed Services: Committee concluded a hearing to examine the Global Posture Review of United States military forces stationed overseas, after receiving testimony from Donald H. Rumsfeld, Secretary of Defense; General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff; General James L. Jones, Jr., USMC, Commander, U.S. European Command and Supreme Allied Commander, Europe; Admiral Thomas B. Fargo, USN, Commander, U.S. Pacific Command; and General Leon J. LaPorte, USA, Commander, United Nations Command, Republic of Korea/U.S. Combined Forces Command, Commander, U.S. Forces Korea.

PRESCRIPTION DRUG ABUSE

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine drug abuse prevention issues, focusing on the role of prescription drug monitoring programs, and federal privacy standards for

PMPs, after receiving testimony from Representative Whitfield; James W. Holsinger, Jr., Kentucky Secretary for Health and Family Services, Frankfort; Sherry Green, National Alliance for Model State Drug Laws, Alexandria, Virginia; Kenneth G. Varley, Alabama Society of Interventional Pain Physicians, Birmingham, on behalf of the American Society of Interventional Pain Physicians; Joy L. Pritts, Georgetown University Health Policy Institute, Washington, D.C.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

MEDICARE DISCOUNT DRUG CARDS

Special Committee on Aging: Committee met to discuss the new Medicare-approved prescription drug cards and transitional assistance programs for seniors, with Mark McClellan, Administrator, and Sharman Stephens, Director, Planning and Policy Analysis Group, Office of Research, Development and Information, both of the Centers for Medicare and Medicaid Services, Department of Health and Human Services; and James Firman, National Council on the Aging, Mary R. Grealy, Healthcare Leadership Council, Robert B. Helms, American Enterprise Institute, and Julie James, Health Policy Alternatives, Inc., all of Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 17 public bills, H.R. 5130–5146; and; 10 resolutions, H.J. Res. 106; H. Con. Res. 497–499, and H. Res. 795–800 were introduced. **Page 19220**

Additional Cosponsors: **Page 19221**

Reports Filed: Reports were filed today as follows:

H.R. 4341, to reform the postal laws of the United States, amended (H. Rept. 108–672, Pt. 2);

Conference report on H.R. 1308, to amend the Internal Revenue Code of 1986 to end certain abusive tax practices, to provide tax relief and simplification (H. Rept. 108–696);

H. Res. 745, of inquiry requesting the President of the United States to provide certain information to the House of Representatives respecting the National Energy Policy Development Group, adversely (H. Rept. 108–697);

H.R. 4661, to amend title 18, United States Code, to discourage spyware, amended (H. Rept. 108–698); and

H. Res. 794, waiving points of order against the conference report to accompany the bill (H.R. 1308) to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit (H. Rept. 108–699). **Page 19220**

Speaker: Read a letter from the Speaker wherein he appointed Representative Kirk to act as Speaker Pro Tempore for today. **Page 19088**

Chaplain: The prayer was offered today by Rev. Betsy Singleton, Pastor, Quapaw Quarter United Methodist Church in Little Rock, Arkansas. **Page 19088**

Recess: The House recessed at 9:05 a.m. for the purpose of receiving His Excellency Ayad Allawi, Interim Prime Minister of the Republic of Iraq and reconvened at 11:15 a.m.; and agreed that the proceedings had during the Joint Meeting be printed in the Record. **Pages 19088, 19091**

Joint Meeting to receive His Excellency Ayad Allawi, Interim Prime Minister of the Republic of Iraq: The House and Senate met in a Joint Meeting to receive His Excellency Ayad Allawi, Interim Prime Minister of the Republic of Iraq. He was escorted in the House Chamber by a Committee comprised of Representatives DeLay, Blunt, Cox, Kingston, Hunter, Ros-Lehtinen, Pelosi, Hoyer, Clyburn, Skelton, Lantos, and Harman and Senators Frist, McConnell, Santorum, Hutchinson, Kyl, Allen, Lugar, Sessions, Daschle, Breaux, Stabenow, Clinton, and Corzine. **Page 19088**

Pledge Protection Act of 2004—Rule for Consideration: The House passed H.R. 2028, to amend title 28, United States Code, with respect to the jurisdiction of Federal courts inferior to the Supreme Court over certain cases and controversies involving the Pledge of Allegiance, by yea and nay vote of 247 yeas to 173 nays, Roll No. 467. **Page 19094**

Agreed to the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill and considered as an original bill for the purpose of amendment. **Page 19122**

Agreed to:

Sensenbrenner manager's amendment (no. 1 printed in H. Rept. 108–693) that clarifies that the local courts of the District of Columbia may consider cases relating to the Pledge of Allegiance. **Page 19114**

Rejected:

Jackson-Lee amendment (no. 3 printed in H. Rept. 108–693) that sought to provide for an exception to the bill's preclusion from the federal courts of claims that involve allegations of coerced or mandatory recitation of the Pledge of Allegiance, including coercion in violation of the First Amendment; and **Page 19119**

Watt amendment (no. 2 printed in H. Rept. 108–693) that sought to preserve the authority of the United States Supreme Court to hear or decide any question pertaining to the interpretation of, or the validity under the Constitution of, the Pledge of Allegiance, as defined in section 4 of title 4, or its recitation (by a recorded vote of 202 ayes, to 217 noes, Roll No. 466). **Pages 19116, 19121**

Agreed to amend the title so as to read: to amend title 28, United States Code, with respect to the jurisdiction of Federal courts over certain cases and controversies involving the Pledge of Allegiance. **Page 19122**

H. Res. 781, the rule providing for consideration of the bill was agreed to yesterday, September 22.

Suspension: The House agreed to suspend the rules and pass the following measure which was debated yesterday, September 22.

Adoption Tax Relief Guarantee Act: H.R. 1057, to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs, by a yea and nay vote of 414 yeas with none voting "nay", Roll No. 468. **Page 19122**

Tax Relief, Simplification, and Equity Act of 2004—Conference Report: The House agreed to H. Rept. 108–696, the conference report to accompany H.R. 1308, to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit, by a recorded vote of 339 ayes to 65 noes, Roll No. 472. **Page 19176**

H. Res. 785, the rule waiving a requirement of clause 6(a) of Rule XIII with respect to the same day consideration of certain resolutions reported by the Rules Committee, was agreed to by a voice vote, after agreeing to order the previous question by a yea and nay vote of 211 yeas to 196 nays, Roll No. 469. **Page 19159**

H. Res. 794, the rule providing for consideration of the conference report was agreed to by a yea and nay vote of 235 to 167, Roll No. 471, after agreeing to order the previous question by a yea and nay vote of 212 yeas to 193 nays, Roll No. 470. **Page 19160**

The Moore motion to instruct conferees on the bill, which was debated yesterday, was vitiated by the filing of the conference report on the bill. **Page 19154**

Recess: The House recessed at 3:12 p.m. and reconvened at 3:54 p.m. **Page 19159**

Meeting Hour: Agreed that when the House adjourn today it adjourn to meet at 2 p.m. tomorrow, September 24; and further that when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, September 28 for Morning Hour debate. **Page 19187**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, September 29. **Page 19187**

Committee Election: Agreed to H. Res. 795, electing Representative Gerlach to the Committee on Financial Services and Representative Burgess to the Committee on Government Reform. **Page 19187**

Member Resignation: Read a letter from Representative Goss wherein he resigned as Representative of the 14th Congressional District of Florida, effective close of business today. **Page 19188**

Senate Message: Message received from the Senate today appears on page 19209.

Quorum Calls—Votes: Five yea and nay votes and two recorded vote developed during the proceedings of today and appear on pages 19121–23, 19159, 19174–76, and 19185. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:58 p.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Agriculture: Ordered reported the following measures: H. Res. 261, Expressing the support of the House of Representatives for the efforts of organizations such as Second Harvest to provide emergency food assistance to hungry people in the United States, and encouraging all Americans to provide volunteer services and other support for local antihunger advocacy efforts and hunger relief charities, including food banks, food rescue organizations, food pantries, soup kitchens, and emergency shelters; H. Res. 481, Recognizing the establishment of Hunters for the Hungry programs across the United States and the contributions of those programs to efforts to decrease hunger and help feed those in need; H.R. 2119, amended, To provide for the use by the State of North Carolina of Federal lands, improvements, equipment, and resource materials at the Oxford Research Station in Granville County, North Carolina; H.R. 2984, To amend the Agricultural Adjustment Act to remove the requirement that processors be members of an agency administering a marketing order applicable to pears; H.R. 3372, To designate the facility of the Agriculture Research Service of the Department of Agriculture located at State Highway 26 West in Poplarville, Mississippi, as the "Thad Cochran Southern Horticultural Laboratory"; H.R. 3514, amended, Pennsylvania National Forest Improvement Act of 2003; S. 33, To authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Ozark-St. Francis and Ouachita National Forests and to use funds derived from the sale or exchange to acquire, construct, or improve administrative sites; H.R. 4569, To provide for the development of a national plan for the control and management of Sudden Oak Death, a tree disease caused by the fungus-like pathogen Phytophthora ramorum; H.R. 4620, amended, To confirm the authority of the Secretary of Agriculture and the Commodity Credit Corporation to enter into memorandums of understanding with a State regarding the collection of approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans; H.R. 5042, To amend the Department of Agriculture Organic Act of

1944 to ensure that the dependents of employees of the Forest Service stationed in Puerto Rico receive a high-quality elementary and secondary education; and S. 1814, To transfer federal lands between the Secretary of Agriculture and the Secretary of the Interior.

DIPLOMA MILLS

Committee on Education and the Workforce: Subcommittee on 21st Century Competitiveness held a hearing entitled "Current Safeguards Protecting Taxpayers Against Diploma Mills." Testimony was heard from Robert Cramer, Managing Director, Office of Special Investigations, GAO; and public witnesses.

MUNICIPAL SOLID WASTE RESPONSIBILITY ACT OF 2004

Committee on Energy and Commerce: Subcommittee on Environment and Hazardous Materials approved for full Committee action, as amended, H.R. 4940, Municipal Solid Waste Responsibility Act of 2004.

PUBLIC HEALTH—FDA'S ROLE IN PROTECTING

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "FDA's Role in Protecting the Public Health: Examining FDA's Review of Safety and Efficacy Concerns in Anti-Depressant Use by Children." Testimony was heard from the following officials of the FDA, Department of Health and Human Services: Andrew Mosholder, M.D., Paul Seligman, M.D., Robert Temple, M.D., Thomas Laughen, M.D., Tarek Hammad, M.D., and James Knudsen, M.D.

ENCOURAGING SMALL BUSINESS GROWTH

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled "Encouraging Small Business Growth and Access to Capital." Testimony was heard from Alan L. Beller, Director, Division of Corporation Finance, SEC; and public witnesses.

INTELLECTUAL PROPERTY PIRACY

Committee on Government Reform: Held a hearing entitled "Intellectual Property Piracy: Are We Doing Enough to Protect U.S. Innovation Abroad?" Testimony was heard from Representative Simmons; Loren Yager, Director, International Affairs and Trade, GAO; and public witnesses.

U.S. SECURITY POLICY IN AFGHANISTAN ON EVE OF NATIONAL ELECTIONS

Committee on International Relations: Held a hearing on United States Security Policy in Afghanistan on the Eve of National Elections. Testimony was heard from the following officials of the Department of Defense: Peter W. Rodman, Assistant Secretary, International Security Affairs; and LTG Walter L. Sharp, USA, Director, Strategic Plans and Policy, J–5, The Joint Staff; and Robert B. Charles, Assistant Secretary, Bureau of International Narcotics and Law Enforcement Affairs, Department of State.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security approved for full Committee action, as amended, the following bills: H.R. 4547, Defending America's Most Vulnerable Safe Access to Drug Treatment and Child Protection Act of 2004; S. 1194, Mentally Ill Offender Treatment and Crime Reduction Act of 2003; and H.R 4264, Animal Fighting Prohibition Enforcement Act of 2004.

OVERSIGHT—ENDANGERED SPECIES

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held an oversight hearing on the Upcoming Thirteenth Regular Meeting of the Conference of the Parties (COP13) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Testimony was heard from. Craig Manson, Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior; and Rebecca Lent, Deputy Assistant Administrator, Fisheries, NOAA, Department of Commerce.

CONFERENCE REPORT—WORKING FAMILIES TAX RELIEF ACT OF 2004

Committee on Rules: Granted, by voice vote, a rule waiving all points against the conference report to accompany H.R. 1308, Working Families Tax Relief Act of 2004, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representative Weller.

RESOLUTION OF INQUIRY—REQUESTING HHS TO TRANSMIT TO THE HOUSE DOCUMENTS RELATING TO THE COST OF MEDICARE PRESCRIPTION DRUG LEGISLATION

Committee on Ways and Means: Ordered reported adversely H. Res. 776, Of inquiry requesting the President and directing the Secretary of Health and Human Services to provide certain documents to the House of Representatives relating to estimates and analyses of the cost of the Medicare prescription drug legislation.

SELECT TAX ISSUES

Committee on Ways and Means: Subcommittee on Select Revenue Measures held a hearing on Select Tax Issues. Testimony was heard from Representatives Capps, Isakson, Larson of (CT), Simmons, Wilson (SC), Turner (OH), McCarthy (MO), Neugebauer, Weldon (PA), Kucinich, Beauprez, Ryan (OH), Blackburn, Emanuel, Sessions and Lofgren.

Joint Meetings

WORKING FAMILIES TAX RELIEF ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 1308, to amend the Internal Revenue Code of 1986 to end certain abusive tax practices, to provide tax relief and simplification.

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Friday, September 24, 2004

Senate

Chamber Action

Routine Proceedings, pages 19346–79

Measures Introduced: One bill and one resolution were introduced, as follows: S. 2846 and S. Res. 435.

Page 19362

National Intelligence Reform Act—Agreement: A unanimous-consent agreement was reached providing that at 2 p.m., on Monday, September 27, 2004, Senate begin consideration of S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government. Page 19379

Measures Placed on Calendar: Pages 19362, 19379

Additional Cosponsors: Page 19362

Statements on Introduced Bills/Resolutions: Page 19362

Authority for Committees to Meet: Page 19363

Text of H.R. 4755 and H.R. 4850, each as Previously Passed: Page 19363

Adjournment: Senate convened at 10:04 a.m., and adjourned at 12:41 p.m., until 1 p.m., on Monday, September 27, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 19379.)

Committee Meetings

SAGE GROUSE CONSERVATION

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife, and Water concluded oversight hearings to examine the sustainability of State and private programs for sage grouse conservation, focusing on developments in federal activities, after receiving testimony from Chad D. Calvert, Deputy Assistant Secretary of the Interior for Land and Minerals Management; Bruce I. Knight, Chief, Natural Resources Conservation Service, Department of Agriculture; Terry Crawforth, Nevada Department of Wildlife, Carson City; Greg Schnacke, Colorado Oil and Gas Association, Denver, on behalf of the Partnership for the West; Gary N. Back, Steffen, Robertson and Kirsten Consulting (USA), Inc., Elko, Nevada, on behalf of the Northeastern Nevada Stewardship Group, Inc.; John O'Keeffe, Oregon Cattleman's Association, Salem, on behalf of the Public Lands; Ben Deeble, National Wildlife Federation, Missoula, Montana; and James A. Mosher, North American Grouse Partnership, on behalf of sundry organizations.

TREATIES

Committee on Foreign Relations: Committee concluded a hearing to examine the Protocol Amending the Convention Between the United States of America and the Kingdom of the Netherlands for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income (including exchange of notes with attached Understanding), signed at Washington on March 8, 2004 (the "Protocol") (Treaty Doc. 108–25), and the Second Protocol Amending the Convention Between the United States of America and Barbados for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income Signed on December 31, 1984, signed at Washington on July 14, 2004; including an exchange of notes with attached Understandings (Treaty Doc. 108–26), after receiving testimony from George Yin, Chief of Staff, Joint Committee on Taxation; Barbara M. Angus, International Tax Counsel, Department of the Treasury; and William A. Reinsch, National Foreign Trade Council, and Judith P. Zelisko, Brunswick Corporation, on behalf of the Tax Executives, Inc., both of Washington, DC.

House of Representatives

Chamber Action

Measures Introduced: 5 public bills, H.R. 10, 5147–5150; were introduced. Page 19344

Additional Cosponsors: Page 19345

Reports Filed: Reports were filed today as follows:

H.R. 4077, to enhance criminal enforcement of the copyright laws, to educate the public about the application of copyright law to the Internet, amended (H. Rept. 108–700). Page 19344

Speaker: Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker Pro Tempore for today. Page 19342

Recess: The House recessed at 2:03 and reconvened at 4:30 p.m. Page 19342

Senate Message: Message received from the Senate today appears on page 19342.

Senate Referral: S. Con. Res. 119 was referred to the Committee on Energy and Commerce; and S. 2781 was referred to the Committee on International Relations.

Page 19342

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 4:31 p.m.

Committee Meetings

IRAQ RECONSTRUCTION PROGRAM

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing and Related Programs held a hearing on Iraq Reconstruction Program. Testimony was heard from Richard L. Armitage, Deputy Secretary of State.

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Monday, September 27, 2004

Senate

Chamber Action

Routine Proceedings, pages 19403–74

Measures Introduced: Four bills were introduced, as follows: S. 2847–2850. Page 19435

Measures Reported:

S. 2485, to amend title 38, United States Code, to improve and enhance the authorities of the Secretary of Veterans Affairs relating to the management and disposal of real property and facilities, with an amendment in the nature of a substitute. (S. Rept. No. 108–358)

Report to accompany S. 2840, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government. (S. Rept. No. 108–359) Page 19435

Measures Passed:

North Platte Canteen Recognition: Senate agreed to H. Con. Res. 161, recognizing the outstanding efforts of the individuals and communities who volunteered or donated items to the North Platte Canteen in North Platte, Nebraska, during World War II from December 25, 1941, to April 1, 1946. Page 19404

National Intelligence Reform Act: Senate began consideration of S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, taking action on the following amendments proposed thereto:

Pages 19412, 19470

Pending:

McCain Amendment No. 3702, to add title VII of S. 2774, 9/11 Commission Report Implementation Act, related to transportation security. Page 19422

Wyden Amendment No. 3704, to establish an Independent National Security Classification Board in the executive branch. Page 19427

Collins Amendment No. 3705, to provide for homeland security grant coordination and simplification.

Page 19432

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:45 a.m., on Tuesday, September 28, 2004. Page 19433

Messages From the House: Page 19435

Measures Referred: Page 19435

Measures Placed on Calendar: Page 19435

Additional Cosponsors: Page 19435

Statements on Introduced Bills/Resolutions: Page 19436

Additional Statements: Page 19434

Amendments Submitted: Page 19438

Privilege of the Floor: Page 19447

Text of H.R. 4818, as Previously Passed: Page 19447

Adjournment: Senate convened at 1 p.m., and adjourned at 6:32 p.m., until 9:45 a.m., on Tuesday, September 28, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 19474.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 12:30 p.m. on Tuesday, September 28, for Morning Hour debate and 2 p.m. for legislative business.

Committee Meetings

No committee meetings were held.

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Tuesday, September 28, 2004

Senate

Chamber Action

Routine Proceedings, pages 19476–19585

Measures Introduced: Six bills and five resolutions were introduced, as follows: S. 2851–2856, and S. Res. 436–440. Page 19529

Measures Reported:

S. 437, to provide for adjustments to the Central Arizona Project in Arizona, to authorize the Gila River Indian Community water rights settlement, to reauthorize and amend the Southern Arizona Water Rights Settlement Act of 1982, with an amendment in the nature of a substitute. (S. Rept. No. 108–360)

S. 511, to provide permanent funding for the Payment In Lieu of Taxes program, with an amendment in the nature of a substitute. (S. Rept. No. 108–361)

S. 1614, to designate a portion of White Salmon River as a component of the National Wild and Scenic Rivers System, with an amendment in the nature of a substitute. (S. Rept. No. 108–362)

S. 1678, to provide for the establishment of the Uintah Research and Curatorial Center for Dinosaur National Monument in the States of Colorado and Utah, with an amendment in the nature of a substitute. (S. Rept. No. 108–363)

S. 1852, to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin, with an amendment in the nature of a substitute. (S. Rept. No. 108–364)

S. 1876, to authorize the Secretary of the Interior to convey certain lands and facilities of the Provo River Project, with an amendment in the nature of a substitute. (S. Rept. No. 108–365)

S. 2142, to authorize appropriations for the New Jersey Coastal Heritage Trail Route. (S. Rept. No. 108–366)

S. 2181, to adjust the boundary of Rocky Mountain National Park in the State of Colorado, with an amendment. (S. Rept. No. 108–367)

S. 2334, to designate certain National Forest System land in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System. (S. Rept. No. 108–368)

S. 2374, to provide for the conveyance of certain land to the United States and to revise the boundary of Chickasaw National Recreation Area, Oklahoma, with an amendment in the nature of a substitute. (S. Rept. No. 108–369)

S. 2408, to adjust the boundaries of the Helena, Lolo, and Beaverhead-Deerlodge National Forests in the State of Montana, with an amendment in the nature of a substitute. (S. Rept. No. 108–370)

S. 2432, to expand the boundaries of Wilson's Creek Battlefield National Park. (S. Rept. No. 108–371)

S. 2567, to adjust the boundary of Redwood National Park in the State of California. (S. Rept. No. 108–372)

S. 2622, to provide for the exchange of certain Federal land in the Santa Fe National Forest and certain non-Federal land in the Pecos National Historical Park in the State of New Mexico, with an amendment in the nature of a substitute. (S. Rept. No. 108–373)

H.R. 1113, to authorize an exchange of land at Fort Frederica National Monument. (S. Rept. No. 108–374)

H.R. 1446, to support the efforts of the California Missions Foundation to restore and repair the Spanish colonial and mission-era missions in the State of California and to preserve the artworks and artifacts of these missions, with an amendment in the nature of a substitute. (S. Rept. No. 108–375)

H.R. 1964, to assist the States of Connecticut, New Jersey, New York, and Pennsylvania in conserving priority lands and natural resources in the Highlands region, with an amendment in the nature of a substitute. (S. Rept. No. 108–376)

H.R. 2010, to protect the voting rights of members of the Armed Services in elections for the Delegate representing American Samoa in the United States House of Representatives. (S. Rept. No. 108–377)

H.R. 3706, to adjust the boundary of the John Muir National Historic Site. (S. Rept. No. 108–378)

H.R. 4516, to require the Secretary of Energy to carry out a program of research and development to advance high-end computing, with an amendment in the nature of a substitute. (S. Rept. No. 108–379)

S. 1529, to amend the Indian Gaming Regulatory Act to include provisions relating to the payment and administration of gaming fees, with an amendment in the nature of a substitute. (S. Rept. No. 108–380)

S. 2603, to amend section 227 of the Communications Act of 1934 (47 U.S.C. 227) relating to the prohibition on junk fax transmissions. (S. Rept. No. 108–381)

S. 333, to promote elder justice, with an amendment in the nature of a substitute. Page 19528

Measures Passed:

North Korean Human Rights Act: Committee on Foreign Relations was discharged from further consideration of H.R. 4011, to promote human rights and freedom in the Democratic People's Republic of Korea, and the bill was then passed, after agreeing to the following amendment proposed thereto: Page 19522

Brownback/Bayh Amendment No. 3728, in the nature of a substitute. Page 19522

Feed America Thursday: Senate agreed to S. Res. 440, designating Thursday, November 18, 2004, as "Feed America Thursday". Page 19582

Recognizing Wisconsin Native Americans: Senate agreed to S. Res. 439, recognizing the contributions of Wisconsin Native Americans to the opening of the National Museum of the American Indian. Page 19582

National Domestic Violence Awareness Month: Senate agreed to S. Res. 438, supporting the goals and ideals of National Domestic Violence Awareness Month and ex-

pressing the sense of the Senate that Congress should raise awareness of domestic violence in the United States and its devastating effects on families. **Page 19582**

Olympic Games Site: Senate agreed to H. Con. Res. 475, encouraging the International Olympic Committee to select New York City as the site of the 2012 Olympic Games. **Page 19583**

Tropical Forest Conservation Act Reauthorization: Committee on Foreign Relations was discharged from further consideration of H.R. 4654, to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2007, and the bill was then passed, clearing the measure for the President. **Page 19583**

Supreme Court Authority Extension: Senate passed S. 2742, to extend certain authority of the Supreme Court Police, modify the venue of prosecutions relating to the Supreme Court building and grounds, and authorize the acceptance of gifts to the United States Supreme Court, after agreeing to the following amendment proposed thereto: **Page 19584**

Frist (for Hatch/Leahy) Amendment No. 3729, to provide for authority to accept gifts pertaining to the history of the Supreme Court. **Page 19584**

National Intelligence Reform Act: Senate continued consideration of S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, taking action on the following amendments proposed thereto: **Page 19493**

Adopted:

By a unanimous vote of 97 yeas (Vote No. 189), McCain Amendment No. 3702, to add title VII of S. 2774, 9/11 Commission Report Implementation Act, related to transportation security. **Pages 19493, 19499**

By a unanimous vote of 96 yeas (Vote No. 190), Hutchison Amendment No. 3711, to provide for air cargo safety. **Pages 19500, 19511**

Collins (for Inhofe/Jeffords) Amendment No. 3731 (to Amendment No. 3705), to ensure the participation of the Under Secretary for Emergency Preparedness and Response in the Threat-Based Homeland Security Grant Program grant-making process for nonlaw enforcement related grants. **Page 19520**

Collins (for Levin) Amendment No. 3732 (to Amendment No. 3705), to give the Secretary of Homeland Security greater flexibility in allocating funds for discretionary grants to local governments. **Page 19521**

Pending:

Wyden Amendment No. 3704, to establish an Independent National Security Classification Board in the executive branch. **Page 19493**

Collins Amendment No. 3705, to provide for homeland security grant coordination and simplification. **Page 19493**

Specter Amendment No. 3706, to provide the National Intelligence Director with the authority to supervise, direct, and control all elements of the intelligence community performing national intelligence missions. **Page 19505**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, September 29, 2004. **Page 19584**

Coastal Barrier Resources System: Senate concurred in the amendment of the House to S. 1663, to replace certain Coastal Barrier Resources System maps, clearing the measure for the President. **Page 19583**

Bill Referral: A unanimous-consent agreement was reached providing that the bill H.R. 3428, to designate a portion of the United States courthouse located at 2100 Jamieson Avenue, in Alexandria, Virginia, as the "Justin W. Williams United States Attorney's Building", which is on the calendar, be referred to the Committee on Environment and Public Works. **Page 19584**

Nominations Confirmed: Senate confirmed the following nominations:

Dionel M. Aviles, of Maryland, to be Under Secretary of the Navy.

Routine lists in the National Oceanic and Atmospheric Administration, Public Health Service. **Page 19585**

Measures Referred: **Page 19527**

Measures Read First Time: **Page 19527**

Executive Communications: **Page 19527**

Additional Cosponsors: **Page 19529**

Statements on Introduced Bills/Resolutions: **Page 13530**

Additional Statements: **Page 19525**

Amendments Submitted: **Page 19536**

Authority for Committees to Meet: **Page 19581**

Record Votes: Two record votes were taken today. (Total—190) **Pages 19500, 19511**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:22 p.m., until 9:30 a.m., on Wednesday, September 29, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 19584.)

Committee Meetings

BANK SECRECY ACT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the effectiveness of U.S. policies to enforce the Bank Secrecy Act and to prevent money laundering in money services businesses and the gaming industry, after receiving testimony from William J. Fox, Director, Financial Crimes Enforcement Network, and Kevin M. Brown, Commissioner, Small

Business/Self-Employed Division, Internal Revenue Service, both of the Department of the Treasury; Diana L. Taylor, New York State Banking Department, New York; Joseph Cachey III, Western Union Financial Services, Inc., Greenwood Village, Colorado; and Frank J. Fahrenkopf, Jr., American Gaming Association, and Ezra C. Levine, Howrey, Simon, Arnold, and White, LLP, on behalf of the Non-Bank Funds Transmitters Group, both of Washington, D.C.

MEDIA OWNERSHIP

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine media ownership issues, including the importance of diversity of ownership, regulation of ownership, and tracking media ownership trends, after receiving testimony from C. Edwin Baker, University of Pennsylvania Law School, Philadelphia; Geneva Oversholser, Missouri School of Journalism, and Adam D. Thierer, Cato Institute, both of Washington, D.C.; and Ben Compaine, Cambridge, Massachusetts.

MEDIA RATINGS

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology and Space concluded a hearing to examine the effectiveness of media ratings systems, focusing on rating systems and guidelines for children, after receiving testimony from Dan Glickman and Jack Valenti, both of the Motion Picture Association of America, and Anthony T. Podesta, Podesta Mattoon, on behalf of the TV Parental Guidelines Monitoring Board, all of Washington, D.C.; Patricia E. Vance, Entertainment Software Rating Board, New York, New York; Kimberly M. Thompson, Harvard School of Public Health, Boston, Massachusetts; Patti Miller, Children Now, Oakland, California; and David G. Kinney, PSVratings, Inc., Los Angeles, California.

MULTILATERAL DEVELOPMENT BANKS

Committee on Foreign Relations: Committee concluded a hearing to examine how to combat corruption in the multilateral development banks, focusing on efforts to use anti-corruption and anti-fraud tools at the Asian Development Bank, the African Development Bank, and the European Bank for Reconstruction and Development, and to alleviate poverty and promote progress around the world relative to the national security and humanitarian interests of the United States, after receiving testimony from Bruce M. Rich, Environmental Defense, and George B.N. Ayittey, American University Department of Economics, both of Washington, D.C.

INFLUENZA VACCINE

Special Committee on Aging: Committee concluded a hearing to examine federal, state, and local efforts to combat influenza in order to keep senior citizens alive, focusing on influenza vaccine recommendations and improved vaccine coverage, and antiviral drugs, after receiving testimony from Stephen M. Ostroff, Deputy Director, National Center for Infectious Diseases, Centers for Disease Control and Prevention, and Pamela M. McInnes, Deputy Director, Division of Microbiology and Infectious Diseases, National Institute of Allergy and Infectious Diseases, both of the Department of Health and Human Services; Janet Heinrich, Director, Healthcare and Public Health Issues, Government Accountability Office; Carol M. Moehrle, North Central District Health Department, Lewiston, Idaho; and Howard Pien, Chiron Corporation, Emeryville, California.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 5151–5161; and; 6 resolutions, H.J. Res. 107–108; H. Con. Res. 500–501, and H. Res. 804–805 were introduced.

Page 19745

Additional Cosponsors: Page 19746

Reports Filed: Reports were filed today as follows:

H.R. 2941, to correct the south boundary of the Colorado River Indian Reservation in Arizona, amended (H. Rept. 108–701);

H.R. 4066, to provide for the conveyance of certain land to the United States and to revise the boundary of Chickasaw National Recreation Area, Oklahoma, amended (H. Rept. 108–702);

H.R. 4579, to modify the boundary of the Harry S Truman National Historic Site in the State of Missouri (H. Rept. 108–703);

H.R. 5009, to extend water contracts between the United States and specific irrigation districts and the City of Helena in Montana (H. Rept. 108–704);

H. Res. 801, providing for consideration of H.J. Res. 106, proposing an amendment to the Constitution of the United States relating to marriage (H. Rept. 108–705);

H. Res. 802, providing for consideration of H.J. Res. 107, making continuing appropriations for the fiscal year 2005 (H. Rept. 108–706); and

H. Res. 803, providing for consideration of H.R. 3193, to restore second amendment rights in the District of Columbia (H. Rept. 108–707). Page 19475

Speaker: Read a letter from the Speaker wherein he appointed Representative Biggert to act as Speaker Pro Tempore for today. Page 19586

Chaplain: The prayer was offered today by Rev. Thomas K. Spence, Jr., Retired Pastor, Presbyterian Church in Sanford, North Carolina. Page 19590

Recess: The House recessed at 1:06 p.m. and reconvened at 2 p.m. Page 19590

Committee Appointment: The Chair announced the Speaker's appointment of Representative Thornberry to the Permanent Select Committee on Intelligence.

Page 19592

Suspensions: The House agreed to suspend the rules and pass the following measures:

Revising and extending the Boys and Girls Clubs of America: S. 2363, to revise and extend the Boys and Girls Clubs of America, by a ⅔ recorded vote of 374 ayes to 19 noes, Roll No. 475; Pages 19593, 19710

Title 46 Codification Act of 2004: H.R. 4319, amended, to complete the codification of title 46, United States Code, "Shipping", as positive law; Page 19595

Piracy Deterrence and Education Act of 2004: H.R. 4077, amended, to enhance criminal enforcement of the copyright laws, to educate the public about the application of copyright law to the Internet; Page 19662

Expressing continued support for the construction of the Victims of Communism Memorial: H. Res. 752, expressing continued support for the construction of the Victims of Communism Memorial; Page 19668

Rancho El Cajon Boundary Reconciliation Act: H.R. 3954, amended, to authorize the Secretary of the Interior to resolve boundary discrepancies in San Diego County, California, arising from an erroneous survey conducted by a Government contractor in 1881 that resulted in overlapping boundaries for certain lands; Page 19669

Chickasaw National Recreation Area Land Exchange Act of 2004: H.R. 4066, amended, to provide for the conveyance of certain land to the United States and to revise the boundary of Chickasaw National Recreation Area, Oklahoma; Page 19669

Angel Island Immigration Station Restoration and Preservation Act: H.R. 4469, to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California; Page 19670

Truman Farm Home Expansion Act: H.R. 4579, to modify the boundary of the Harry S Truman National Historic Site in the State of Missouri; Page 19672

Amending public law with regard to land conveyed to Eastern Washington University: H.R. 4596, amended, to amend P.L. 97–435 to extend the authorization for the Secretary of the Interior to release certain conditions contained in a patent concerning certain land conveyed by the United States to Eastern Washington University until December 31, 2009; Page 19674

Gullah/Geechee Cultural Heritage Act: H.R. 4683, amended, to enhance the preservation and interpretation of the Gullah/Geechee cultural heritage; Page 19675

Providing for a land exchange involving land in the vicinity of Holloman Air Force Base, New Mexico: H.R. 4808, amended, to provide for a land exchange involving private land and Bureau of Land Management land in the vicinity of Holloman Air Force Base, New Mexico for the purpose of removing private land from the required safety zone surrounding munitions storage bunkers at Holloman Air Force Base; Page 19677

Hibben Center Act: S. 643, amended, to authorize the Secretary of the Interior, in cooperation with the University of New Mexico, to construct and occupy a portion of the Hibben Center for Archaeological Research at the University of New Mexico; Page 19678

Manhattan Project National Historical Park Study Act of 2003: S. 1687, to direct the Secretary of the Interior to conduct a study on the preservation and interpretation of the historic sites of the Manhattan Project for potential inclusion in the National Park System—clearing the measure for the President; Page 19679

El Camino Real de los Tejas National Historic Trail Act of 2004: S. 2052, to amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail—clearing the measure for the President; Page 19680

Trail Responsibility and Accountability for the Improvement of Lands (TRAIL) Act: H.R. 3247, amended, to provide consistent enforcement authority to the Bureau of Land Management, the National Park Service, the United States Fish and Wildlife Service, and the Forest Service to respond to violations of regulations regarding the management, use, and protection of public lands under the jurisdiction of these agencies, to clarify the purposes for which collected fines may be used; Page 19681

Agreed to amend the title so as to read: to provide consistent enforcement authority to the Bureau of Land Management, the National Park Service, the United States Fish and Wildlife Service, and the Forest Service to respond to violations of regulations regarding the management, use, and protection of public lands under the jurisdiction of these agencies. Page 19682

Amending the Small Tracts Act: H.R. 4617, amended, to amend the Small Tracts Act to facilitate the exchange of small tracts of land; Page 19682

Agreed to amend the title so as to read: to authorize the Secretary of Agriculture to carry out certain land exchanges involving small parcels of National Forest System land in the Tahoe National Forest in the State of California. Page 19683

Renaming the Colorado Canyons National Conservation Area as the McInnis Canyons National Conservation Area: H.R. 4827, to amend the Colorado Canyons National Conservation Area and Black Ridge Canyons Wilderness Act of 2000 to rename the Colorado Canyons National Conservation Area as the McInnis Canyons National Conservation Area; Page 19683

Healthy Forests Youth Conservation Corps Act of 2004: H.R. 4838, amended, to establish a Healthy Forest Youth Conservation Corps to provide a means by which young adults can carry out rehabilitation and enhancement projects to prevent fire and suppress fires, rehabilitate public land affected or altered by fires, and provide disaster relief; **Page 19683**

Conveyance of land to the New Hope Cemetery Association in Arkansas: S. 1537, to direct the Secretary of Agriculture to convey to the New Hope Cemetery Association certain land in the State of Arkansas for use as a cemetery—clearing the measure for the President; **Page 19685**

Craig Recreation Land Purchase Act: S. 1778, to authorize a land conveyance between the United States and the City of Craig, Alaska—clearing the measure for the President; **Page 19686**

Arapaho and Roosevelt National Forests Land Exchange Act of 2004: S. 2180, to direct the Secretary of Agriculture to exchange certain lands in the Arapaho and Roosevelt National Forests in the State of Colorado—clearing the measure for the President; **Page 19687**

Little Butte/Bear Creek Subbasins Water Feasibility Act: H.R. 3210, amended, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a water resource feasibility study for the Little Butte/Bear Creek Subbasins in Oregon; **Page 19688**

Authorizing a feasibility study on the Alder Creek water storage and conservation project in El Dorado County, California: H.R. 3597, amended, to authorize the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study on the Alder Creek water storage and conservation project in El Dorado County, California; **Page 19688**

Southern California Groundwater Remediation Act: H.R. 4606, amended, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California; **Page 19689**

Montana Water Contracts Extension Act of 2004: H.R. 5009, to extend water contracts between the United States and specific irrigation districts and the City of Helena in Montana; **Page 19690**

Extending the water service contract for the Ainsworth Unit, Sandhills Division, Pick-Sloan Missouri Basin Program, Nebraska: H.R. 5016, to extend the water service contract for the Ainsworth Unit, Sandhills Division, Pick-Sloan Missouri Basin Program, Nebraska; **Page 19690**

Redesignating the Ridges Basin Reservoir, Colorado, as Lake Nighthorse: S. 2508, to redesignate the Ridges Basin Reservoir, Colorado, as Lake Nighthorse—clearing the measure for the President; **Page 19691**

Recognizing the 60th anniversary of the Battle of Peleliu during WWII: H.J. Res. 102, recognizing the 60th anniversary of the Battle of Peleliu and the end of Imperial Japanese control of Palau during World War II and urging the Secretary of the Interior to work to protect the historic sites of the Peleliu Battlefield National Historic Landmark and to establish commemorative programs honoring the Americans who fought there; **Page 19691**

Recognizing the 60th anniversary of the Liberation of Guam during WWII: H. Res. 737, recognizing the 60th anniversary of the Liberation of Guam during World War II; **Page 19692**

Colorado River Indian Reservation Boundary Correction Act: H.R. 2941, amended, to correct the south boundary of the Colorado River Indian Reservation in Arizona; **Page 19694**

Brown Tree Snake Control and Eradication Act of 2003: H.R. 3479, amended, to provide for the control and eradication of the brown tree snake on the island of Guam and the prevention of the introduction of the brown tree snake to other areas of the United States; **Page 19695**

Commending the people of Florida and the individuals who have assisted with recovery efforts after Hurricanes Charley, Frances, and Ivan: H. Res. 784, amended, commending the resiliency of the people of Florida and the work of those individuals who have assisted with the recovery efforts after the devastation caused by Hurricanes Charley, Frances, and Ivan; **Page 19711**

Agreed to amend the title so as to read: Commending the resiliency of the people of the State of Florida and the work of those individuals who have assisted with the recovery efforts after the devastation caused by Hurricanes Charley, Frances, Ivan, and Jeanne. **Page 19715**

District of Columbia Retirement Protection Improvement Act of 2004: H.R. 4657, amended, to amend the Balanced Budget Act of 1997 to improve the administration of Federal pension benefit payments for District of Columbia teachers, police officers, and fire fighters; **Page 19715**

Martha Pennino Post Office Building Designation Act: H.R. 5133, to designate the facility of the United States Postal Service located at 11110 Sunset Hills Road in Reston, Virginia, as the "Martha Pennino Post Office Building"; **Page 19718**

Specialist Eric Ramirez Post Office Designation Act: H.R. 5027, to designate the facility of the United States Postal Service located at 411 Midway Avenue in

Mascotte, Florida, as the "Specialist Eric Ramirez Post Office"; Page 19719

Supporting National Life Insurance Awareness Month: H. Con. Res. 461, expressing the sense of Congress regarding the importance of life insurance, and recognizing and supporting National Life Insurance Awareness Month; Page 19721

Sergeant Riayan A. Tejada Post Office Designation Act: H.R. 4046, amended, to designate the facility of the United States Postal Service located at 555 West 180th Street in New York, New York, as the "Sergeant Riayan A. Tejada Post Office"; and Page 19722

Agreed to amend the title so as to read: to designate the facility of the United States Postal Service located at 555 West 180th Street in New York, New York, as the "Sergeant Riayan A. Tejeda Post Office". Page 19723

Evan Asa Ashcraft Post Office Building Designation Act: H.R. 5147, to designate the facility of the United States Postal Service located at 23055 Sherman Way in West Hills, California, as the "Evan Asa Ashcraft Post Office Building". Page 19723

National Defense Authorization Act for FY05—Motion to go to Conference: The House disagreed to the Senate amendment to H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and agreed to a conference. Page 19698

Agreed to the Pelosi motion to instruct conferees on the bill by a yea and nay vote of 213 yeas to 186 nays, Roll No. 473. Pages 19698, 19708

Agreed to close portions of the conference when classified national security material is being discussed by a yea and nay vote of 396 yeas with none voting "nay", Roll No. 474. Page 19709

Appointed as conferees: From the Committee on Armed Services, for consideration of the House bill and Senate amendment, and modifications committed to conference: Representatives Hunter, Weldon (PA), Hefley, Saxton, McHugh, Everett, Bartlett (MD), McKeon, Thornberry, Hostettler, Jones (NC), Ryun (KS), Gibbons, Hayes, Wilson (NM), Calvert, Simmons, Skelton, Spratt, Ortiz, Evans, Taylor (MS), Abercrombie, Meehan, Reyes, Snyder, Turner (TX), Smith (WA), Loretta Sanchez (CA), and Hill. Page 19711

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Representatives Hoekstra, LaHood, and Harman. Page 19711

From the Committee on Agriculture, for consideration of sec. 1076 for the Senate amendment, and modifications committed to conference: Representatives Goodlatte, Burns, and Stenholm. Page 19711

From the Committee on Education and the Workforce for consideration of secs. 590, 595, 596, 904, and 3135 of the House bill, and secs. 351, 352, 532, 533, 707, 868, 1079, 3143, 3151–3157 of the Senate amendment, and modifications committed to conference: Representatives Castle, Sam Johnson (TX), and Bishop (NY). Page 19711

From the Committee on Energy and Commerce, for consideration of secs. 596, 601, 3111, 3131, 3133, and 3201 of the House bill, and secs. 321–323, 716, 720, 1084–1089, 1091, 2833, 3116, 3119, 3141, 3142, 3145, 3201, and 3503 of the Senate amendment, and modifications committed to conference: Representatives Barton (TX), Upton, and Dingell. Page 19711

From the Committee on Government Reform, for consideration of secs. 801, 806, 807, 825, 1061, 1101–1104, 2833, 2842, and 2843 of the House bill, and secs. 801, 805, 832, 851, 852, 869, 870, 1034, 1059B, 1091, 1101, 1103–1107, 1110, 2823, 2824, 2833, and 3121 of the Senate amendment, and modifications committed to conference: Representatives Tom Davis (VA), Shays, and Waxman. Page 19711

From the Committee on House Administration, for consideration of secs. 572, and 1065 of the Senate amendment, and modifications committed to conference: Representatives Ney, Ehlers, and Larson (CT). Page 19711

From the Committee on International Relations, for consideration of secs. 811, 1013, 1031, 1212, 1215, Title XIII, secs. 1401–1405, 1411, 1412, 1421, and 1422 of the House bill, and secs. 1014, 1051–1053, 1058, 1059A, 1059B, 1070, Title XII, secs. 3131, and 3132 of the Senate amendment, and modifications committed to conference: Representatives Hyde, Leach, and Lantos. Page 19711

From the Committee on the Judiciary, for consideration of secs. 551, 573, 616, 652, 825, 1075, 1078, 1105, 2833, 2842, and 2843 of the House bill, and secs. 620, 842, 1063, 1068, 1074, 1080–1082, 1101, 1106, 1107, 2821, 2823, 2824, 3143, 3146, 3151–3157, 3401–3410 of the Senate amendment, and modifications committed to conference: Representatives Sensenbrenner, Smith (TX), and Conyers. Page 19711

From the Committee on Resources, for consideration of secs. 601 and 2834 of the House bill, and sec. 1076 of the Senate amendment, and modifications committed to conference: Representatives Pombo, Walden (OR), and Inslee. Page 19711

From the Committee on Science, for consideration of sec. 596 of the House bill and secs. 1034, 1092, and Title XXXV of the Senate amendment, and modifications committed to conference: Representatives Boehlert, Smith (MI), and Gordon. Page 19711

From the Committee on Small Business, for consideration of secs. 807, and 3601 of the House bill, and secs. 805, 822, 823, 912, and 1083 of the Senate amendment,

and modifications committed to conference: Representatives Manzullo, Kelly, and Velazquez. Page 19711

From the Committee on Transportation and Infrastructure, for consideration of secs. 555, 558, 596, 601, 905, 1051, 1063, 1072, and 3502 of the House bill, and secs. 321, 323, 325, 717, 1066, 1076, 1091, 2828, 2833–2836, and title XXXV of the Senate amendment, and modifications committed to conference: Representatives Young (AL), Duncan, and Capuano. Page 19711

From the Committee on Veterans' Affairs, for consideration of secs. 2810 and 2831 of the House bill, and secs. 642, 2821, and 2823 of the Senate amendment, and modifications committed to conference: Representatives Smith (NJ) Brown (SC), and Michaud. Page 19711

From the Committee on Ways and Means, for consideration of sec. 585 of the House bill, and sec. 653 of the Senate amendment, and modifications committed to conference: Representatives Shaw, Camp, and Rangel. Page 19711

Authorization to print a commemorative document in memory of the late President Ronald Reagan: By unanimous consent the House agreed to S. Con. Res. 135, authorizing the printing of a commemorative document in memory of the late President of the United States, Ronald Wilson Reagan. Page 19707

Agreed to the Doolittle amendment that strikes language in section 1 and inserts new language in its place. Page 19708

Amending the Congressional Accountability Act of 1995: The House agreed by unanimous consent to pass H.R. 5122, to amend the Congressional Accountability Act of 1995 to permit members of the Board of Directors of the Office of Compliance to serve for 2 terms. Page 19708

Recess: The House recessed at 5:47 p.m. and reconvened at 6:32 p.m. Page 19708

Discharge Petition: Representative Meehan moved to discharge the Committee on Rules from the consideration of H. Res 769, providing for consideration of H.R. 2038, to reauthorize the assault weapons ban (Discharge Petition No. 12).

Senate Message: Messages received from the Senate today appear on pages 19591 and 19724.

Quorum Calls—Votes: Two yea and nay votes and one recorded vote developed during the proceedings of today and appear on pages 19709–11. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:21 p.m.

Committee Meetings

SCHOOLS SAFETY ACQUIRING FACULTY EXCELLENCE ACT OF 2004

Committee on Education and the Workforce: Subcommittee on 21st Century Competitiveness held a hearing on H.R. 2649, Schools Safety Acquiring Faculty Excellence Act of 2003. Testimony was heard from Donna Uzzell, Director, Criminal Justice Information Services, Department of Law Enforcement, State of Florida; and public witnesses.

SOCIAL SECURITY PRIVACY

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled "Protecting the Privacy of Consumers' Social Security Numbers." Testimony was heard from Thomas B. Leary, Commissioner, FTC; Barbara Bovbjerg, Director, Education, Workforce and Income Security, GAO; and a public witness.

OVERSIGHT—USDA RACIAL DISCRIMINATION CASE

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on the Status of the Implementation of the Pickford v. Glickman Settlement. Testimony was heard from public witnesses.

D.C. PERSONAL PROTECTION ACT

Committee on Rules: The Committee granted, by voice vote, a closed rule providing one hour of debate on H.R. 3193, District of Columbia Personal Protection Act, in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform. The rule waives all points of order against consideration of the bill. The rule provides that the amendment printed in the report of the Committee on Rules accompanying the resolution shall be considered as adopted. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Souder, Norton, and McCarthy (NY).

MARRIAGE AMENDMENT

Committee on Rules: The Committee granted, by a vote of 6 to 2, a closed rule providing two hours and 30 minutes of debate on H.J. Res. 106, proposing an amendment to the Constitution of the United States relating to marriage, in the House equally divided and controlled by the Majority Leader and the Minority Leader or their designees. The rule provides one motion to recommit. Section 2 of the resolution provides that during consideration of the bill, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard from Representatives Hostettler, Musgrave, and Nadler.

CONTINUING APPROPRIATIONS FISCAL YEAR 2005

Committee on Rules: The Committee granted, by voice vote, a closed rule providing for one hour of debate on H.J. Res. 107, making further continuing appropriations for fiscal year 2005, and for other purposes, equally divided and controlled by the chairman and ranking minority members of the Committee on Appropriations. The rule waives all points of order against consideration of the joint resolution. Finally, the rule provides one motion to recommit.

PUBLIC TRANSPORTATION TERRORISM PREVENTION AND RESPONSE ACT

Committee on Transportation and Infrastructure: Subcommittee on Highways, Transit, and Pipelines approved for full Committee action H.R. 5082, Public Transportation Terrorism Prevention and Response Act of 2004.

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Wednesday, September 29, 2004

Senate

Chamber Action

Routine Proceedings, pages 19755–19887

Measures Introduced: Ten bills and four resolutions were introduced, as follows: S. 2857–2866, and S. Res. 441–444. **Page 19826**

Measures Reported:

H.R. 1417, To amend title 17, United States Code, to replace copyright arbitration royalty panels with Copyright Royalty Judges, with an amendment in the nature of a substitute.

S. Con. Res. 121, supporting the goals and ideals of the World Year of Physics. **Page 19826**

Measures Passed:

Authorizing Legal Representation: Senate agreed to S. Res. 443, to authorize testimony, document production, and legal representation in United States v. Roberto Martin. **Page 19878**

Government of American Samoa: Senate passed H.R. 982, to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa, clearing the measure for the President. **Page 19879**

Congressional Award Act Reauthorization: Senate passed S. 2639, to authorize the Congressional Award Act, after agreeing to the following amendment proposed thereto: **Page 19879**

Sessions (for Craig) Amendment No. 3784, to clarify acceptance of Federal funds and resources. **Page 19879**

Department of Homeland Security Financial Accountability Act: Committee on Governmental Affairs was discharged from further consideration of H.R. 4259, to amend title 31, United States Code, to improve the financial accountability requirements applicable to the Department of Homeland Security, to establish requirements for the Future Years Homeland Security Program of the Department, and the bill was then passed, clearing the measure for the President. **Page 19880**

Congratulating Veterans of Foreign Wars: Senate agreed to S. Res. 444, congratulating and commending the Veterans of Foreign Wars of the United States and its National Commander-In-Chief, John Furgess of Tennessee. **Page 19881**

Salt River Pima-Maricopa Indian Reservation: Senate passed H.R. 4115, to amend the Act of November 2, 1966 (80 Stat. 1112), to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation, clearing the measure for the President. **Page 19881**

Indian Child Protection and Family Violence Prevention Act Reauthorization: Senate passed S. 1601, to amend the Indian Child Protection and Family Violence Prevention Act to provide for the reporting and reduction of child abuse and family violence incidences on Indian reservations, after agreeing to the committee amendment in the nature of a substitute. **Page 19882**

Continuing Resolution: Senate passed H.J. Res. 107, making continuing appropriations for the fiscal year 2005, clearing the measure for the President. **Page 19886**

Native Americans Programs Act Reauthorization: Senate passed S. 2436, to reauthorize the Native American Programs Act of 1974, after agreeing to the committee amendments, and the following amendment proposed thereto: **Page 19886**

Sessions (for Inouye) Amendment No. 3783, to authorize research and educational activities relating to Native Hawaiian law. **Page 19886**

National Intelligence Reform Act: Senate continued consideration of S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, taking action on the following amendments proposed thereto: **Page 19762**

Adopted:

Burns Amendment No. 3773 (to Amendment 3766), in the nature of a substitute. **Page 19793**

McCain Amendment No. 3766, to ensure the availability of electromagnetic spectrum for public safety entities. **Pages 19784, 19785, 19791, 19794**

McCain/Lieberman Amendment No. 3774, to enhance national preparedness. **Page 19794**

Collins (for Cornyn) Amendment No. 3727, to amend provisions of law originally enacted in the Clinger-Cohen

Act to enhance agency planning for information security needs. Page 19803

Collins (for Coleman) Amendment No. 3763, to strike the amendments made by section 202, regarding the National Homeland Security Council. Page 19803

Wyden Modified Amendment No. 3704, to improve procedures relating to the classification of information. Page 19804

Rejected:

Specter/Feinstein Amendment No. 3761, to specify a term of service for the National Intelligence Director. (By 93 yeas to 4 nays (Vote No. 191), Senate tabled the amendment.) Pages 19771, 19786

Specter Amendment No. 3706, to provide the National Intelligence Director with the authority to supervise, direct, and control all elements of the intelligence community performing national intelligence missions. (By 78 yeas to 19 nays (Vote No. 192), Senate tabled the amendment.) Pages 19762, 19786

Pending:

Collins Amendment No. 3705, to provide for homeland security grant coordination and simplification. Page 19762

Lautenberg Amendment No. 3767, to specify that the National Intelligence Director shall serve for one or more terms of up to 5 years each. Page 19784

Warner/Stevens Amendment No. 3781, to modify the requirements and authorities of the Joint Intelligence Community Council. Page 19804

A unanimous-consent agreement was reached providing that certain amendments be the only remaining amendments to the bill other than the pending amendments; further that they be subject to second degrees that are related to the subject matter of the first degree; further that all other provisions governing the consideration of this bill remain in effect. Page 19764

A unanimous consent agreement was reached providing that all first degree amendments from the limited list to the bill be filed at the desk no later than 4 p.m., on Thursday, September 30, 2004, and that it be in order for the sponsor of any amendment to modify the filed amendment with the consent of their respective Leader. Page 19878

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Thursday, September 30, 2004, and that upon conclusion of debate of Warner Amendment No. 3781, Senator Graham be recognized to offer the next amendment; provided further, that upon the conclusion of the first vote, Senator Byrd be recognized for up to 20 minutes. Page 19886

Messages From the House: Page 19823

Measures Placed on Calendar: Page 19824

Measures Read First Time: Page 19825

Enrolled Bills Presented: Page 19825

Executive Communications: Page 19825

Additional Cosponsors: Page 19827

Statements on Introduced Bills/Resolutions: Page 19828

Additional Statements: Page 19821

Amendments Submitted: Page 19850

Authority for Committees to Meet: Page 19877

Privilege of the Floor: Page 19878

Record Votes: Two record votes were taken today. (Total–192) Page 19786

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:36 p.m., until 9:30 a.m., on Thursday, September 30, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 19887.)

Committee Meetings

TERRORIST FINANCING

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine recommendations of the 9/11 Commission, focusing on efforts to identify and combat terrorist financing, after receiving testimony from former Representative Lee H. Hamilton, Vice Chair, and former Senator Slade Gorton, Commissioner, both of the National Commission on Terrorist Attacks Upon the United States; Stuart A. Levey, Under Secretary of Treasury for Terrorism and Financial Intelligence; Michael J. Garcia, Assistant Secretary of Homeland Security for Immigration and Customs Enforcement; John E. Lewis, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Department of Justice; Mallory Factor, Mallory Factor, Inc., New York, New York; and Lee S. Wolosky, Boies, Schiller and Flexner, LLP, Washington, D.C.

STEM CELL RESEARCH

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space concluded a hearing to examine the controversy over embryonic stem cell research, focusing on ethical safeguards in human research, and the moral status of the human embryo, after receiving testimony from Richard M. Doerflinger, U.S. Conference of Catholic Bishops, and David Prentice, Family Research Council, both of Washington, D.C.; Laurie Zoloth, Northwestern University Center for Genetic Medicine, Chicago, Illinois; George Q. Daley, Harvard School of Medicine, Boston, Massachusetts, on behalf of the American Society for Cell Biology; and Marc Hedrick, Macropore Biosurgery, San Diego, California.

LAND BILLS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 2410, to promote wildland firefighter safety; H.R. 1651, to provide for the exchange of land within the Sierra National Forest, California; S. 2378, to provide for the conveyance of certain public land in Clark County, Nevada, for use as a heliport; H.R. 2400, to amend the Organic Act of Guam for the purposes of clarifying the local judicial structure of Guam; H.R. 3874, to convey for public purposes certain Federal lands in Riverside County, California, that have been identified for disposal; H.R. 4170, to authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of the Interior; and S. Res. 387, commemorating the 40th Anniversary of the Wilderness Act, after receiving testimony from Guam Delegate Bordallo; Christopher Pyron, Deputy Chief for Business Operations, Forest Service, Department of Agriculture; and Scott Cameron, Deputy Assistant Secretary of the Interior for Performance and Management.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Ryan C. Crocker, of Washington, to be Ambassador to the Islamic Republic of Pakistan, Marcie B. Ries, of the District of Columbia, to be Ambassador to the Republic of Albania, Catherine Todd Bailey, of Kentucky, to be Ambassador to the Republic of Latvia, who was introduced by Senator McConnell, and Douglas Menarchik, of Texas, to be an Assistant Administrator of the United States Agency for International Development, after each nominee testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following bills:

S. 519, to establish a Native American-owned financial entity to provide financial services to Indian tribes, Native American organizations, and Native Americans, with an amendment in the nature of a substitute;

S. 1905, to provide habitable living quarters for teachers, administrators, other school staff, and their households in rural areas of Alaska located in or near Alaska Native Villages, with an amendment in the nature of a substitute; and

S. 2843, to make technical corrections to laws relating to Native Americans, with amendments.

TRIBAL LOBBYING OVERSIGHT

Committee on Indian Affairs: Committee held an oversight hearing on lobbying practices involving Indian tribes, focusing on the propriety of certain dealings and interactions, especially those relative to testimony and evidence in the pending matter In re Tribal Lobbying Matters, et al., receiving testimony from Richard M. Milanovich, Agua Caliente Band of Cahuilla Indians, Palm Springs, California; and Bernie Sprague and Christopher Petras, both of the Saginaw Chippewa Indian Tribe of Michigan, Mount Pleasant.

Hearings recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 23 public bills, H.R. 5162–5184; and; 7 resolutions, H. Con. Res. 502–505, and H. Res. 806, 808–809 were introduced. **Page 20018**

Additional Cosponsors: **Page 20019**

Reports Filed: Reports were filed today as follows:

S. 878, to authorize an additional permanent judgeship in the District of Idaho, amended (H. Rept. 108–708); and

H. Res. 807, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–709). **Page 20018**

Chaplain: The prayer was offered today by Rev. Bobby C. Dagnel, Pastor, First Baptist Church in Lubbock, Texas. **Page 19888**

Committee Resignation: Read a letter from Representative Putnam wherein he resigned from the Committees on Agriculture, Government Reform, and Budget. **Page 19888**

Committee Election: Agreed to H. Res. 806, electing Representative Cantor to the Committee on Government Reform and Representative Putnam to the Committee on Rules. **Page 19888**

Continuing Appropriations for the Fiscal Year 2005: The House agreed to H.J. Res. 107, making continuing appropriations for the fiscal year 2005, by a recorded vote of 389 ayes to 32 noes, Roll No. 479. **Page 19930**

Rejected the Obey motion to recommit the bill to the Committee on Appropriations with instructions to report the resolution back to the House promptly with amendments, by a yea and nay vote of 200 yeas to 221 nays, Roll No. 478. **Page 19936**

H. Res. 802, the rule providing for consideration of the resolution, was agreed to by voice vote. **Page 19891**

District of Columbia Personal Protection Act: The House passed H.R. 3193, amended, to restore second amendment rights in the District of Columbia, by a recorded vote of 250 ayes to 171 noes and one voting "present", Roll No. 477. **Pages 19909, 19929**

Pursuant to the rule, the amendment printed in H. Rept. 108–707 was considered as adopted. **Page 19910**

H. Res. 803, the rule providing for consideration of the bill was agreed to by voice vote. Page 19892

Committee Appointment: The Chair announced the Speaker's removal of Representative Boehlert from the Permanent Select Committee on Intelligence, and the appointment of Representative Blunt to that committee to fill the existing vacancy. Page 19900

American Jobs Creation Act of 2004: The House disagreed to the Senate amendment to H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad, and agreed to a conference. Page 19900

Rejected the Neal motion to instruct conferees on the bill, by a recorded vote of 205 ayes to 215 noes, Roll No. 476. Pages 19900, 19928

Appointed as conferees: From the Committee on Ways and Means, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Representatives Thomas, Crane, McCrery, Rangel, and Levin. Page 19930

From the Committee on Agriculture, for consideration of title VII of the House bill, and subtitle B of title XI of the Senate amendment, and modifications committed to conference: Representatives Goodlatte, Boehner, and Stenholm. Page 19930

From the Committee on Education and the Workforce, for consideration of secs. 489, 490, 616, 701, and 719 of the Senate amendment, and modifications committed to conference: Representatives Boehner, Sam Johnson (TX), and George Miller (CA). Page 19930

From the Committee on Energy and Commerce, for consideration of sec. 662 and subtitle A of title XI of the Senate amendment, and modifications committed to conference: Representatives Barton (TX), Burr, and Waxman. Page 19930

From the Committee on the Judiciary, for consideration of secs. 422, 442, 1111, 1151, and 1161 of the Senate amendment, and modifications committed to conference: Representatives Sensenbrenner, Smith (TX) and Conyers. Page 19930

For consideration of the House bill and Senate amendment, and modifications committed to conference: Representative DeLay. Page 19930

Suspensions: The House agreed to suspend the rules and pass the following measures:

Veterans Medical Facilities Management Act of 2004: H.R. 4768, amended, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into certain major medical facility leases, to authorize that Secretary to transfer real property subject to certain limitations; Page 19943

Agreed to amend the title so as to read: to authorize the Secretary of Veterans Affairs to enter into certain major medical facility leases, to authorize that Secretary to transfer real property subject to certain limitations, otherwise to improve management of medical facilities of the Department of Veterans Affairs. Page 19949

Commending the Festival of Children Foundation: H. Res. 759, amended, commending the Festival of Children Foundation for its outstanding efforts on behalf of children and expressing the support of the House of Representatives for the designation of a "Child Awareness Month"; Page 19955

Agreed to amend the title so as to read: commending the Festival of Children Foundation for its outstanding efforts on behalf of children. Page 19957

Commemorating the 100th anniversary of the birth of William "Count" Basie: H. Res. 778, commemorating the 100th anniversary of the birth of William "Count" Basie; Page 19957

Amending the Federal Water Pollution Control Act: H.R. 4731, to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program; Page 19964

Authorizing the Board of Regents of the Smithsonian Institution to carry out activities in support of the VERITAS project: H.R. 5105, to authorize the Board of Regents of the Smithsonian Institution to carry out construction and related activities in support of the collaborative VERITAS project on Kitt Peak near Tucson, Arizona; Page 19966

F.H. Newell Building Designation Act: H.R. 3124, to designate the facility of the United States Geological Survey and the United States Bureau of Reclamation located at 230 Collins Road, Boise, Idaho, as the "F.H. Newell Building"; and Page 19967

Garza-Vela United States Courthouse Designation Act: H.R. 1402, amended, to designate a United States courthouse in Brownsville, Texas, as the "Garza-Vela United States Courthouse". Page 19968

Agreed to amend the title so as to read: to designate the United States courthouse located at the corner of Seventh Street and East Jackson Street in Brownsville, Texas, as the "Reynaldo G. Garza and Filemon B. Vela United States Courthouse". Page 19972

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Consideration will be completed tomorrow, September 30.

Reauthorizing the Temporary Assistance for Needy Families block grant program: H.R. 5149, to reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2005; Page 19938

Department of Veterans Affairs Nurse Recruitment and Retention Act of 2004: H.R. 4231, amended, to provide for a pilot program in the Department of Vet-

erans Affairs to improve recruitment and retention of nurses; Page 19949

Honoring the life and work of Duke Ellington: H. Con. Res. 501, honoring the life and work of Duke Ellington, recognizing the 30th anniversary of the Duke Ellington School of the Arts, congratulating Blue Note records on its 65th anniversary and Down Beat Magazine on its 70th anniversary, and supporting the annual Duke Ellington Jazz Festival; and Page 19959

Honoring the United Negro College Fund on the occasion of the Fund's 60th anniversary: H. Res. 792, honoring the United Negro College Fund on the occasion of the Fund's 60th anniversary. Page 19961

Commission on Systemic Interoperability—Appointment: Read a letter from the Minority Leader wherein she appointed Mr. Thomas M. Priselac of Los Angeles, California, to the Commission on Systemic Interoperability. Page 19972

Senate Message: Messages received from the Senate today appear on page 19909.

Senate Referral: S. 2742 was referred to the Committee on the Judiciary. Page 20004

Quorum Calls—Votes: One yea and nay vote and three recorded votes developed during the proceedings of today and appear on pages 19928–29, 19937, and 19938. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12 midnight.

Committee Meetings

FARM CREDIT SYSTEM REVIEW

Committee on Agriculture: Subcommittee on Conservation, Credit, Rural Development, and Research held a hearing to review the Farm Credit System. Testimony was heard from Nancy C. Pellett, Chairman, Farm Credit Administration; and public witnesses.

9/11 RECOMMENDATIONS IMPLEMENTATION ACT

Committee on Armed Services: Ordered reported, as amended, H.R. 10, 9/11 Recommendations Implementation Act.

POST-PREGNANCY DEPRESSION

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Improving Women's Health: Understanding Depression After Pregnancy." Testimony was heard from public witnesses.

EXAMINE—WIRELESS DIRECTORY ASSISTANCE POLICIES AND PROGRAMS

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "An Examination of Wireless Directory Assistance Policies and Programs." Testimony was heard from Senator Boxer; and public witnesses.

9/11 RECOMMENDATIONS IMPLEMENTATION ACT; MISCELLANEOUS MEASURES; APPROVED ISSUANCE OF SUBPOENAS REGARDING OFHEO REPORT CONCERNING FANNIE MAE

Committee on Financial Services: Ordered reported, as amended, following bills; H.R. 5011, Military Personnel Financial Services Protection Act; H.R. 4634, amended, Terrorism Insurance Backstop Extension Act of 2004; and H.R. 10, 9/11 Recommendations Implementation Act.

The Committee also approved a motion to issue subpoenas to certain individuals in conjunction with the Subcommittee on Capital Markets hearing entitled "The OFHEO Report: Allegations of Accounting and Management Failure at Fannie Mae."

9/11 RECOMMENDATIONS IMPLEMENTATION ACT; WHISTLEBLOWER PROTECTION ENHANCEMENT ACT

Committee on Government Reform: Ordered reported, as amended, the following bills: H.R. 10, 9/11 Recommendations Implementation Act; and H.R. 3281, Whistleblower Protection Enhancement Act.

GLOBAL ANTI-SEMITISM REVIEW ACT; AFGHANISTAN: U.S. STRATEGIES ON EVE OF NATIONAL ELECTIONS

Committee on International Relations: Favorably considered the following bill and adopted a motion urging the Chairman to request that it be considered on the Suspension Calendar: S. 2292, amended, Global Anti-Semitism Review Act of 2004.

The Committee also held a hearing on Afghanistan: United States Strategies on the Eve of National Elections. Testimony was heard from Richard L. Armitage, Deputy Secretary of State.

9/11 RECOMMENDATIONS IMPLEMENTATION ACT

Committee on the Judiciary: Ordered reported, as amended, H.R. 10, 9/11 Recommendations Implementation Act.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following bills: H.R. 855, amended, Arizona Water Rights Settlement Act; H.R. 5134, amended, To require the prompt review by the Secretary of the Interior of the long-standing petitions for Federal recognition of certain Indian tribes; and H.R. 5135, To provide for a nonvoting delegate to the House of Representatives to represent the Commonwealth of the Northern Mariana Islands.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on the following bills: H.R. 977, Aerial Firefighter Relief Act of 2003; H.R. 1550, To au-

thorize the Secretary of the Interior and the Secretary of Agriculture to make grants to improve the commercial value of forest biomass for electric energy, useful heat, transportation fuels, petroleum-based product substitutes, and other commercial purposes; H.R. 1723, Caribbean National Forest Act of 2003; and H.R. 4461, Walnut Canyon Study Act. Testimony was heard from Representatives Baird and Cubin; Elisabeth Estill, Deputy Chief, Programs, Legislation, and Communication, Forest Service, USDA; John Stewart, Biomass and Forest Health Program Manager, Office of Wildland Fire Coordination, Department of the Interior; and public witnesses.

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE CONCERNING SURFACE TRANSPORTATION EXTENSION

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of September 30, 2004, providing for consideration of a bill to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ACT

Committee on Science: Subcommittee on Environment, Technology and Standards approved for full Committee action, as amended H.R. 4546, National Oceanic and Atmospheric Administration Act.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Ordered reported the following bills: H.R. 5082, amended, Public Transportation Terrorism Prevention and Response Act of 2004; H.R. 5105, To authorize the Board of Regents of the Smithsonian Institution to carry out construction and related activities in support of the collaborative Very Energetic Radiation Imaging Telescope Array System (VERITAS) project on Kitt Peak near Tucson, Arizona; H.R. 5121, amended, To further protect the United States aviation system from terrorist attacks; H.R. 5164, National Health Museum Authorization Act; H.R. 5163, Norma Mineta Research and Special Programs Reorganization Act.

The Committee also approved the following: GSA Fiscal Year 2005 Capital Investment and Leasing Program resolutions; and U.S. Army Corps of Engineers Survey resolutions.

9/11 RECOMMENDATIONS IMPLEMENTATION ACT

Permanent Select Committee on Intelligence: Ordered reported, as amended, H.R. 10, 9/11 Recommendations Implementation Act.

NATIONAL INCIDENT MANAGEMENT SYSTEM

Select Committee on Homeland Security: Subcommittee on Emergency Preparedness and Response held a hearing entitled "The National Incident Management System: Enhancing Response to Terrorist Attacks." Testimony was heard from Gil Jamieson, Acting Director, NIMS Integration Center, Department of Homeland Security; Chief P. Michael Freeman, Fire Department, Los Angeles County, California; and public witnesses.

Joint Meetings

AMERICAN JOBS CREATION ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad, but did not complete action thereon, and will meet again.

♦♦♦♦♦♦♦♦♦♦♦♦

Thursday, September 30, 2004

Senate

Chamber Action

Routine Proceedings, pages 20126–20333

Measures Introduced: Thirteen bills and one resolution were introduced, as follows: S. 2867–2879, and S. Con. Res. 139. **Page 20194**

Measures Reported:

S. Res. 424, designating October 2004 as "Protecting Older Americans From Fraud Month".

S. 2195, to amend the Controlled Substances Act to clarify the definition of anabolic steroids and to provide for research and education activities relating to steroids and steroid precursors, with an amendment in the nature of a substitute.

S. 2843, to make technical corrections to laws relating to Native Americans, with amendments. **Page 20193**

Measures Passed:

Welfare Reform Extension Act: Senate passed H.R. 5149, to reauthorize the Temporary Assistance for Needy

Families block grant program through March 31, 2005, clearing the measure for the President. **Page 20318**

Highway Trust Fund Extension: Senate passed H.R. 5183, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, clearing the measure for the President. **Page 20321**

Safe Water Drinking Act Amendment: Senate passed H.R. 2771, to amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program, clearing the measure for the President. **Page 20324**

Coastal Wetland Conservation Projects Extension: Senate passed S. 2495, to strike limitations on funding and extend the period of authorization for certain coastal wetland conservation projects. **Page 20324**

National Wildlife Refuge Volunteer Act: Senate passed H.R. 2408, to amend the Fish and Wildlife Act of 1956 to reauthorize volunteer programs and community partnerships for national wildlife refuges, clearing the measure for the President. **Page 20324**

Improving Access to Assistive Technology for Individuals with Disabilities Act: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H.R. 4278, to amend the Assistive Technology Act of 1998 to support programs of grants to States to address the assistive technology needs of individuals with disabilities, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 20324**

Inhofe (for Gregg) Amendment No. 3943, in the nature of a substitute. **Page 20330**

Honoring Duke Ellington: Senate agreed to H. Con. Res. 501, honoring the life and work of Duke Ellington, recognizing the 30th anniversary of the Duke Ellington School of the Arts, and supporting the annual Duke Ellington Jazz Festival. **Page 20330**

State Justice Institute Reauthorization Act: Committee on the Judiciary was discharged from further consideration of H.R. 2714, to reauthorize the State Justice Institute, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 20330**

Inhofe (for Leahy/Hatch) Amendment No. 3944, to extend the authorization of the Bulletproof Vest Partnership Grant Program. **Page 20331**

National Intelligence Reform Act: Senate continued consideration of S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, taking action on the following amendments proposed thereto: **Pages 20128, 20131**

Adopted:

Graham (FL) Amendment No. 3797, to improve the authorities with respect to the national intelligence centers. **Pages 20131, 20134**

McCain Amendment No. 3806, to improve the transition between Presidential administrations. **Page 20139**

Collins (for Voinovich) Amendment No. 3823, to improve the financial disclosure process under the Ethics in Government Act of 1978. **Page 20157**

Rockefeller/Hutchison Amendment No. 3815, to improve and provide for the review of intelligence estimate and products. **Page 20171**

Lieberman (for McCain) Amendment No. 3942, to provide provisions related to the role of diplomacy, foreign aid, and the military in the war on terrorism. **Page 20173**

Warner/Stevens Modified Amendment No. 3781, to modify the requirements and authorities of the Joint Intelligence Community Council. **Page 20174**

Rejected:

Hollings Amendment No. 3795, in the nature of a substitute. (By 82 yeas to 7 nays (Vote No. 193), Senate tabled the amendment.) **Page 20165**

Lautenberg Amendment No. 3802, to stop corporations from financing terrorism, (By 47 yeas to 41 nays (Vote No. 194), Senate tabled the amendment.) **Pages 20148, 20170**

Pending:

Collins Amendment No. 3705, to provide for homeland security grant coordination and simplification. **Page 20128**

Lautenberg Amendment No. 3767, to specify that the National Intelligence Director shall serve for one or more terms of up to 5 years each. **Page 20128**

Kyl Amendment No. 3801, to modify the privacy and civil liberties oversight. **Page 20135**

McCain/Lieberman Amendment No. 3807, to develop a strategy for combining terrorist travel intelligence, operations, and law enforcement. **Page 20141**

Feinstein Amendment No. 3718, to improve the intelligence functions of the Federal Bureau of Investigation. **Page 20143**

Stevens Amendment No. 3839, to strike section 201, relating to public disclosure of intelligence funding. **Page 20161**

Ensign Amendment No. 3819, to require the Secretary of State to increase the number of consular officers, clarify the responsibilities and functions of consular officers, and require the Secretary of Homeland Security to increase the number of border patrol agents and customs enforcement investigators. **Page 20170**

Reid (for Schumer) Amendment No. 3887, to amend the Foreign Intelligence Surveillance Act of 1978 to cover individuals, other than United States persons, who engage in international terrorism without affiliation with an international terrorist group. **Page 20177**

Reid (for Schumer) Amendment No. 3888, to establish the United States Homeland Security Signal Corps to ensure proper communications between law enforcement agencies. Page 20177

Reid (for Schumer) Amendment No. 3889, to establish a National Commission on the United States-Saudi Arabia Relationship. Page 20178

Reid (for Schumer) Amendment No. 3890, to improve the security of hazardous materials transported by truck. Page 20178

Reid (for Schumer) Amendment No. 3891, to improve rail security. Page 20179

Reid (for Schumer) Amendment No. 3892, to strengthen border security. Page 20179

Reid (for Schumer) Amendment No. 3893, to require inspection of cargo at ports in the United States. Page 20179

Reid (for Schumer) Amendment No. 3894, to amend the Homeland Security Act of 2002 to enhance cybersecurity. Page 20179

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Friday, October 1, 2004. Page 20331

Legislative Information Availability—Agreement: A unanimous-consent agreement was reached providing that the Committee on Rules and Administration be discharged from further consideration of S. Res. 360, expressing the sense of the Senate that legislative information shall be publicly available through the Internet, and the resolution be placed on the Senate calendar. Page 20331

Nominations Confirmed: Senate confirmed the following nominations:

8 Air Force nominations in the rank of general.

23 Army nominations in the rank of general.

2 Marine Corps nominations in the rank of general.

33 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy. Pages 20316, 20331

Messages From the House: Page 20192

Measures Placed on Calendar: Page 20193

Measures Read First Time: Page 20193

Executive Reports of Committees: Page 20193

Additional Cosponsors: Page 20195

Statements on Introduced Bills/Resolutions: Page 20197

Additional Statements: Page 20191

Amendments Submitted: Page 20209

Authority for Committees to Meet: Page 20315

Privilege of the Floor: Page 20316

Record Votes: Two record votes were taken today. (Total–194) Page 20170

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:33 p.m., until 9:30 a.m., on Friday, October 1, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 20331.)

Committee Meetings

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nominations of Peter Cyril Wyche Flory, of Virginia, to be an Assistant Secretary of Defense for International Security Policy, and 5,851 nominations in the Army, Navy, Air Force, and Marine Corps.

INTERNET GOVERNANCE AND SECURITY

Committee on Commerce, Science, and Transportation: Subcommittee on Communications concluded an oversight hearing to examine the Internet Corporation for Assigned Names and Numbers, focusing on security of Internet Root Servers and the Domain Name System (DNS), after receiving testimony from David A. Gross, U.S. Coordinator for International Communications and Information Policy, Bureau of Economic and Business Affairs, Department of State; John M.R. Kneuer, Deputy Assistant Secretary of Commerce for Communications and Information; Pat Morrisse, Security Director, Law Enforcement Intelligence, U.S. Secret Service, Department of Homeland Security; Paul Twomey, Internet Corporation for Assigned Names and Numbers, and Bill Manning, University of Southern California Information Service Institute, both of Marina del Rey, California; and Aristotle Balogh, VeriSign, Inc., Washington, D.C.

LOW-LEVEL RADIOACTIVE WASTE

Committee on Energy and Natural Resources: Committee concluded an oversight hearing to examine issues related to the disposal availability of low-level radioactive waste, focusing on the requirements of the Low-Level Radioactive Waste Policy Act (P.L. 96–573), and commercial disposal sites, after receiving testimony from Christine Gelles, Director, Office of Commercial Disposition Options, and Edward G. McGinnis, Director, Office of Global Radiological Threat Reduction, National Nuclear Security Administration, both of the Department of Energy; Robin M. Nazzaro, Director, Natural Resources and Environment, Government Accountability Office; and Alan Pasternak, California Radioactive Materials Management Forum, Lafayette.

NOMINATIONS

Committee on Foreign Relations: on September 29, 2004, Committee concluded a hearing to examine the nominations of Ryan C. Crocker, of Washington, to be Ambassador to the Islamic Republic of Pakistan, Marcie B. Ries, of the District of Columbia, to be Ambassador to the Republic of Albania, Catherine Todd Bailey, of Kentucky,

to be Ambassador to the Republic of Latvia, who was introduced by Senators McConnell and Bunning, and Douglas Menarchik, of Texas, to be an Assistant Administrator of the United States Agency for International Development, after each nominee testified and answered questions in their own behalf.

COLLEGE SAVINGS PLANS

Committee on Governmental Affairs: Subcommittee on Financial Management, the Budget, and International Security concluded an oversight hearing to examine Section 529 College Savings Plans, focusing on levels of fees, quality of plan disclosure, state tax treatment and broker sales practices, after receiving testimony from Steven T. Miller, Commissioner, Tax Exempt and Government Entities Division, Internal Revenue Service, Department of the Treasury; Ernesto A. Lanza, Senior Associate General Counsel, Municipal Securities Rulemaking Board; Michael A. Ablowich, New Hampshire State Treasurer, Concord, on behalf of the National Association of State Treasurers; Jacqueline T. Williams, Ohio Tuition Trust Authority, Columbus, on behalf of the College Savings Plan Network; Martin M. Noven, Office of the Illinois State Treasurer, Springfield; Richard O. Davis, Utah Higher Education Assistance Authority, Salt Lake City; Mary L. Schapiro, NASD, New York, New York; Daniel McNeela, Morningstar, Inc., Chicago, Illinois; and Mercer E. Bullard, Fund Democracy, Inc., Oxford, Mississippi.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1635, to amend the Immigration and Nationality Act to ensure the integrity of the L–1 visa for intracompany transferees;

S. 2195, to amend the Controlled Substances Act to clarify the definition of anabolic steroids and to provide for research and education activities relating to steroids and steroid precursors, with an amendment in the nature of a substitute;

S. Res. 424, designating October 2004 as "Protecting Older Americans From Fraud Month"; and

The nominations of Micaela Alvarez, to be United States District Judge for the Southern District of Texas, Keith Starrett, to be United States District Judge for the Southern District of Mississippi, Raymond L. Finch, to be Judge for the District Court of the Virgin Islands, David E. Nahmias, to be United States Attorney for the Northern District of Georgia, Richard B. Roper III, to be United States Attorney for the Northern District of Texas, Lisa Godbey Wood, to be United States Attorney for the Southern District of Georgia, Ricardo H. Hinojosa, of Texas, to be Chair, Michael O'Neill, of Maryland, to be a Member, and Ruben Castillo, of Illinois, to be a Member, all of the United States Sentencing Commission, and William Sanchez , of Florida, to be Special Counsel for Immigration-Related Unfair Employment Practices, Department of Justice.

NOMINATIONS

Committee on Veterans Affairs: Committee concluded a hearing to examine the nominations of Mary J. Schoelen, of the District of Columbia, who was introduced by Senator Rockefeller, and William A. Moorman, of Virginia, who was introduced by Senator Graham (SC), each to be a Judge of the United States Court of Appeals for Veterans Claims, and Robert Allen Pittman, of Florida, to be an Assistant Secretary of Veterans Affairs for Human Resources and Administration, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Measures Introduced: 16 public bills, H.R. 5185–5200; and; 5 resolutions, H. Con. Res. 506–507, and H. Res. 810, 812–813 were introduced. **Page 20123**

Additional Cosponsors: **Page 20124**

Reports Filed: Reports were filed today as follows:

H. Res. 811, providing for the consideration of H.R. 5183, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century (H. Rept. 108–710);

H.R. 5107, to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases (H. Rept. 108–711);

S. 551, to provide for the implementation of air quality programs developed in accordance with an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado concerning Air Quality Control on the Southern Ute Indian Reservation (H. Rept. 108–712, Pt. 1);

H.R. 1630, to revise the boundary of the Petrified Forest National Park in the State of Arizona, amended (H. Rept. 108–713);

H.R. 4817, to facilitate the resolution of a minor boundary encroachment on lands of the Union Pacific Railroad Company in Tipton, California, which were originally conveyed by the United States as part of the

right-of-way granted for the construction of transcontinental railroads, amended (H. Rept. 108–714); and

H.R. 3982, to direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah (H. Rept. 108–715). **Page 20123**

Speaker: Read a letter from the Speaker wherein he appointed Representative Miller of Florida to act as Speaker Pro Tempore for today. **Page 20042**

Chaplain: The prayer was offered today by Rev. William G. Alvey, Pastor, Park United Methodist Church in Madison, Ohio. **Page 20042**

Surface Transportation Extension Act, Part V: The House passed H.R. 5183, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, by a recorded vote of 409 ayes to 8 noes, Roll No. 481. **Page 20051**

Agreed to make a technical correction to the bill. **Page 20076**

Rejected the DeFazio motion to recommit the bill to the Committee on Transportation & Infrastructure with instructions to report the bill back to the House promptly with an amendment, by a yea-and-nay vote of 199 yeas to 218 nays, Roll No. 480. **Page 20062**

H. Res. 807, waiving a requirement of clause 6(a) of rule XIII with respect to the same day consideration of certain resolutions reported by the Rules Committee, was agreed to by voice vote. **Page 20045**

H. Res. 811, providing for consideration of the bill was agreed to by voice vote. **Page 20046**

Marriage Protection Amendment: The House failed to pass H.J. Res. 106, proposing an amendment to the Constitution of the United States relating to marriage, by a ⅔ yea-and-nay vote of 227 yeas to 186 nays, Roll No. 484. **Page 20073**

H. Res. 801, the rule providing for consideration of the resolution was agreed to by voice vote. **Page 20066**

Suspensions—Proceedings Postponed: The House agreed to suspend the rules and pass the following measures which were debated yesterday, September 29:

Reauthorizing the Temporary Assistance for Needy Families block grant program: H.R. 5149, to reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2005, by a ⅔ yea-and-nay vote of 416 yeas with none voting "nay", Roll No. 482; **Page 20064**

Department of Veterans Affairs Nurse Recruitment and Retention Act of 2004: H.R. 4231, amended, to provide for a pilot program in the Department of Veterans Affairs to improve recruitment and retention of nurses, by a ⅔ yea-and-nay vote of 411 yeas to 1 nay, Roll No. 483; **Page 20065**

Honoring the life and work of Duke Ellington: H. Con. Res. 501, honoring the life and work of Duke Ellington, recognizing the 30th anniversary of the Duke Ellington School of the Arts, congratulating Blue Note records on its 65th anniversary and Down Beat Magazine on its 70th anniversary, and supporting the annual Duke Ellington Jazz Festival, by a ⅔ yea-and-nay vote of 391 yeas with none voting "nay", Roll No. 485; and **Page 20113**

Honoring the United Negro College Fund on the occasion of the Fund's 60th anniversary: H. Res. 792, honoring the United Negro College Fund on the occasion of the Fund's 60th anniversary, by a ⅔ yea-and-nay vote of 386 yeas with none voting "nay", Roll No. 486. **Page 20114**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, October 4 for Morning Hour debate and 2 p.m. for legislative business. **Page 20117**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, October 6. **Page 20117**

Discharge Petition: Representative Edwards moved to discharge the Committee on Rules from consideration of H. Res. 773, providing for the consideration of H.R. 4628, to protect consumers in managed care plans and other health coverage (Discharge Petition No. 13).

Senate Message: Messages received from the Senate today appear on pages 20042, 20045, and 20118.

Senate Referrals: S. 1601 was referred to the Committees on Resources and the Judiciary; S. 2639 and S. 2436 were referred to the Committee on Education and the Workforce; and S. Con. Res. 110 was referred to the Committee on International Relations. **Page 20121**

Quorum Calls—Votes: Six yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages 20063–66 and 20112–14. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:42 p.m.

Committee Meetings

SPECIALTY CROPS COMPETITIVENESS ACT; U.S. NATIONAL ARBORETUM APPRECIATION ACT

Committee on Agriculture: Ordered reported, as amended, the following bills: H.R. 3242, Specialty Crops Competitiveness Act of 2003; and H.R. 5120, U.S. National Arboretum Appreciation Act of 2004.

SECRET BALLOT PROTECTION ACT

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing on H.R.

4343, Secret Ballot Protection Act of 2004. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Ordered reported the following measures: S. 551, Southern Ute and Colorado Intergovernmental Agreement Implementation Act of 2003; H.R. 4667, Tapoco Project Licensing Act of 2004; H.R. 918, amended, Patient Navigator, Outreach, and Chronic Disease Prevention Act of 2003; H.R. 3051, amended, National All Schedules Prescription Electronic Reporting Act of 2003; H.R. 3858, Pancreatic Islet Cell Transplantation Act of 2004; H. Res. 567, Congratulating the American Dental Association for sponsoring the second annual "Give Kids a Smile" program which emphasizes the need to improve access to dental care for children, and thanking dentists for volunteering their time to help provide needed dental care; H. Con. Res. 250, Recognizing community organization of public access defibrillation programs; H.R. 2699, amended, National Uniformity for Food Act of 2003; and H. Con. Res. 34, Expressing the sense of the Congress that private health insurance companies should take a proactive role in promoting healthy lifestyles.

The Committee also reported adversely H. Res. 776, Of inquiry requesting the President and directing the Secretary of Health and Human Services provide certain documents to the House of Representatives relating to estimates and analyses of the cost of the Medicare prescription drug legislation.

CONTROLLING BIOTERROR

Committee on Energy and Commerce: Subcommittee on Environment and Hazardous Materials held a hearing entitled "Controlling Bioterror: Assessing Our Nation's Drinking Water Security." Testimony was heard from Benjamin Grumbles, Acting Assistant Administrator, Water, EPA; and John B. Stephenson, Director, Natural Resources and Environment, GAO.

COMBATING INTERNATIONAL TERRORIST FINANCING

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology and the Subcommittee on Oversight and Investigations held a joint hearing entitled "Combating International Terrorist Financing." Testimony was heard from John Zarate, Assistant Secretary, Terrorist Financing, Department of the Treasury; and E. Anthony Wayne, Assistant Secretary, Economic and Business Affairs, Department of State.

"HOW CAN WE MAXIMIZE PRIVATE SECTOR PARTICIPATION IN TRANSPORTATION?"

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing entitled "How Can We Maximize Private Sector Participation in Transportation?—Part II" Testimony was heard from Jennifer L. Dorn, Administrator, FTA, Department of Transportation; Dan Tangherlini, Director, Department of Transportation, District of Columbia; and public witnesses.

HHS FINANCIAL MANAGEMENT

Committee on Government Reform: Subcommittee on Government Efficiency and Financial Management held an oversight hearing entitled "Financial Management at the Department of Health and Human Services." Testimony was heard from the following officials of the GAO: Jeffrey C. Steinhoff, Managing Director, Financial Management and Assurance; and Keith A. Rhodes, Chief Technologist, Center for Technology and Engineering; and Kerry N. Weems, Acting Assistant Secretary, Budget, Information, and Finance, Department of Health and Human Services.

COMPREHENSIVE PEACE IN SUDAN ACT

Committee on International Relations: Subcommittee on Africa approved for full Committee action, as amended, H.R. 5061, Comprehensive Peace in Sudan Act.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following measures: H.R. 4306, amended, To amend section 274A of the Immigration and Nationality Act to improve the process for verifying an individual's eligibility for employment; S. 1194, amended, Mentally Ill Offender Treatment and Crime Reduction Act of 2003; H.R. 3143, amended, International Consumer Protection Act of 2003; H.R. 4264, amended, Animal Fighting Prohibition Enforcement Act of 2004; H.R. 775, Security and Fairness Enhancement for America Act of 2003; and H.R. 4453, amended, Access to Rural Physicians Improvement Act of 2004.

WEATHER AND OCEANS RESOURCES REALIGNMENT ACT

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held a hearing on H.R. 4368, To transfer the National Oceanic and Atmospheric Administration to the Department of the Interior. Testimony was heard from Timothy R. E. Keeney, Deputy Assistant Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; Andrew A. Rosenberg, member, U.S. Commission on Ocean Policy; and public witnesses.

SURFACE TRANSPORTATION EXTENSION ACT OF 2004, PART V

Committee on Rules: Granted, by voice vote, a closed rule providing 1 hour of debate in the House on H.R. 5183, Surface Transportation Extension Act of 2004, Part V, equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. The rule waives all points of order against consideration of the bill. Finally, the rule

provides one motion to recommit. Testimony was heard from Representative Petri.

CLEAN WATER ACT—CITIZEN SUIT PROVISIONS BEING MISUSED

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment, oversight hearing entitled "Are Citizen Suit Provisions of the Clean Water Act Being Misused?" Testimony was heard from public witnesses.

IMPROVE DISABILITY PROCESS—SOCIAL SECURITY PROPOSAL

Committee on Ways and Means: Subcommittee on Social Security and the Subcommittee on Human Resource held a joint hearing on the Commissioner of Social Security's Proposal to Improve the Disability Process. Testimony was heard from Representative McIntyre; Jo Anne B. Barnhart, Commissioner, SSA; Hal Daub, Chairman, Social Security Advisory Board; and public witnesses.

DISRUPTING TERRORIST TRAVEL

Select Committee on Homeland Security: Subcommittee on Infrastructure and Border Security and the Subcommittee on Intelligence and Counterterrorism held a joint hearing entitled "Disrupting Terrorist Travel: Safeguarding America's Borders Through Information Sharing. Testimony was heard from the following officials of the Department of Homeland Security: LTG Patrick Hughes, USAF (Ret.), Assistant Secretary, Information Analysis; and C. Stewart Verdery, Jr., Assistant Secretary, Border and Transportation Security Policy and Planning; and a public witness.

Joint Meetings

NATIONAL DEFENSE AUTHORIZATION ACT

Conferees on Wednesday, September 29, 2004, met to resolve the differences between the Senate and House passed versions of H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, but did not complete action thereon, and recessed subject to the call.

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Friday, October 1, 2004

Senate

Chamber Action

Routine Proceedings, pages 20355–20450

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 2880–2884, and S. Res. 445. **Page 20424**

Measures Reported:

S. 1134, to reauthorize and improve the programs authorized by the Public Works and Economic Development Act of 1965, with an amendment in the nature of a substitute. (S. Rept. No. 108–382) **Page 20423**

Measures Passed:

Background Checks Programs: Senate passed S. 2882, to make the program for national criminal history background checks for volunteer groups permanent. **Page 20439**

Prevention of Child Abduction Partnership Act: Senate passed S. 2883, to amend the International Child Abduction Remedies Act to limit the tort liability of private entities or organizations that carry out responsibilities of the United States Central Authority under that Act. **Page 20439**

Missing Child Cold Case Review Act: Committee on the Judiciary was discharged from further consideration of S. 2435, to permit Inspectors General to authorize staff to provide assistance to the National Center for Missing and Exploited Children, and the bill was then passed. **Page 20441**

Kitt Peak Project: Senate passed H.R. 5105, to authorize the Board of Regents of the Smithsonian Institution to carry out construction and related activities in support of the collaborative Very Energetic Radiation Imaging Telescope Array System (VERITAS) project on Kitt Peak near Tucson, Arizona., clearing the measure for the President. **Page 20441**

Church Pension Plans: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 1533, to amend the securities laws to permit church pension plans to be invested in collective trusts, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 20440**

Frist (for Shelby/Sarbanes) Amendment No. 3948, to make a technical correction. **Page 20441**

Rail Security Act: Senate passed S. 2273, to provide increased rail transportation security, after agreeing to the committee amendments. **Page 20441**

Public Transportation Terrorism Prevention Act: Senate passed S. 2884, to authorize the Secretary of Homeland Security to award grants to public transportation agencies to improve security. **Page 20449**

National Intelligence Reform Act: Senate continued consideration of S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, taking action on the following amendments proposed thereto: **Page 20356**

Adopted:

Allard Amendment No. 3765, to provide for additional responsibilities for the Chief Information Officer of the Department of Homeland Security relating to geographic information. **Page 20357**

Levin Amendment No. 3808, to enhance customer focus on intelligence and to ensure independent intelligence analyses. **Page 20377**

McCain/Lieberman Modified Amendment No. 3807, to develop a strategy for combining terrorist travel intelligence, operations, and law enforcement. **Pages 20356, 20376, 20408**

Collins (for Coleman) Amendment No. 3798, to amend section 510 of the Homeland Security Act of 2002 to ensure widespread access to the Information Sharing Network. **Page 20410**

Collins (for Coleman) Amendment No. 3799, to require the enterprise architecture and implementation plan for the Information Sharing Network to include equipment and training requirements and utilization costs. **Page 20410**

Collins (for Coleman) Amendment No. 3800, to find that the United States needs to implement the 9/11 Commission's recommendation to adopt a unified incident command system and significantly enhance communications connectivity among first responders. **Page 20410**

Collins (for Snowe) Amendment No. 3911, to require a report on the methodologies utilized for National Intelligence Estimates. **Page 20410**

Collins (for Snowe) Amendment No. 3912, to require an evaluation of the effectiveness of the National Counterterrorism Center. **Page 20411**

Collins (for Snowe) Amendment No. 3932, relating to alternative analyses of intelligence by the intelligence community. **Page 20411**

Collins (for Frist) Amendment No. 3864, to extend section 145(c) of the Aviation and Transportation Security Act. **Page 20411**

Collins (for Bingaman) Amendment 3772, to establish the position of Chief Scientist of the National Intelligence Authority. **Page 20411**

Collins (for Reed) Amendment No. 3813, to find that risk assessments and protective measures for liquefied natural gas marine terminals should be included in the plan of the Secretary of Homeland Security to protect critical infrastructure. **Page 20411**

Collins (for Feinstein) Amendment No. 3717, to provide that the Intelligence Community Reserve Corps shall have a personnel strength level authorized by law. **Page 20411**

Collins (for Bingaman/Domenici) Modified Amendment No. 3771, to authorize employees of Federally Funded Research and Development Centers and certain employees of the Department of Energy national laboratories to be eligible for the staff of the National Counterterrorism Center and the national intelligence centers. **Page 20411**

Collins (for Graham (FL)) Amendment No. 3756, to establish additional education and training requirements for the National Intelligence Authority. **Page 20412**

Pending:

Collins Amendment No. 3705, to provide for homeland security grant coordination and simplification. **Page 20356**

Lautenberg Amendment No. 3767, to specify that the National Intelligence Director shall serve for one or more terms of up to 5 years each. **Page 20356**

Kyl Amendment No. 3801, to modify the privacy and civil liberties oversight. **Pages 20356, 20383**

Feinstein Amendment No. 3718, to improve the intelligence functions of the Federal Bureau of Investigation. **Page 20356**

Stevens Amendment No. 3839, to strike section 201, relating to public disclosure of intelligence funding. **Page 20356**

Ensign Amendment No. 3819, to require the Secretary of State to increase the number of consular officers, clarify the responsibilities and functions of consular officers, and require the Secretary of Homeland Security to increase the number of border patrol agents and customs enforcement investigators. **Page 20356**

Reid (for Schumer) Amendment No. 3887, to amend the Foreign Intelligence Surveillance Act of 1978 to cover individuals, other than United States persons, who engage in international terrorism without affiliation with an international terrorist group. **Page 20356**

Reid (for Schumer) Amendment No. 3888, to establish the United States Homeland Security Signal Corps to ensure proper communications between law enforcement agencies. **Page 20356**

Reid (for Schumer) Amendment No. 3889, to establish a National Commission on the United States-Saudi Arabia Relationship. **Page 20356**

Reid (for Schumer) Amendment No. 3890, to improve the security of hazardous materials transported by truck. **Page 20356**

Reid (for Schumer) Amendment No. 3891, to improve rail security. **Page 20356**

Reid (for Schumer) Amendment No. 3892, to strengthen border security. **Page 20356**

Reid (for Schumer) Amendment No. 3893, to require inspection of cargo at ports in the United States. **Page 20356**

Reid (for Schumer) Amendment No. 3894, to amend the Homeland Security Act of 2002 to enhance cybersecurity. **Page 20356**

Allard Amendment No. 3778, to improve the management of the personnel of the National Intelligence Authority. **Page 20358**

Byrd Amendment No. 3845, to enhance the role of Congress in the oversight of the intelligence and intelligence-related activities of the United States Government. Page 20361

Warner Modified Amendment No. 3877, to modify the role of the National Intelligence Director in the appointment of intelligence officials of the United States Government. Pages 20377, 20405

Leahy/Grassley Amendment No. 3945, to require Congressional oversight of translators employed and contracted for by the Federal Bureau of Investigation. Page 20371

Reed Amendment No. 3908, to authorize the Secretary of Homeland Security to award grants to public transportation agencies to improve security. Page 20372

Reid (for Corzine/Lautenberg) Amendment No. 3849, to protect human health and the environment from the release of hazardous substances by acts of terrorism. Pages 20375, 20397

Reid (for Lautenberg) Amendment No. 3782, to require that any Federal funds appropriated to the Department of Homeland Security for grants or other assistance be allocated based strictly on an assessment of risks and vulnerabilities. Page 20375

Reid (for Lautenberg) Amendment No. 3905, to provide for maritime transportation security. Page 20375

Reid (for Harkin) Amendment No. 3821, to modify the functions of the Privacy and Civil Liberties Oversight Board. Page 20375

Roberts Amendment No. 3748, to clarify the duties and responsibilities of the Ombudsman of the National Intelligence Authority and of the Analytic Review Unit within the Office of the Ombudsman. Page 20379

Roberts Amendment No. 3739, to ensure the sharing of intelligence information in a manner that promotes all-sources analysis and to assign responsibility for competitive analysis. Page 20380

Roberts Amendment No. 3750, to clarify the responsibilities of the Directorate of Intelligence of the National Counterterrorism Center for information-sharing and intelligence analysis. Page 20380

Roberts Amendment No. 3747, to provide the National Intelligence Director with flexible administrative authority with respect to the National Intelligence Authority. Page 20381

Roberts Amendment No. 3742, to clarify the continuing applicability of section 504 of the National Security Act of 1947 to the obligation and expenditure of funds appropriated for the intelligence and intelligence-related activities of the United States. Page 20381

Roberts Amendment No. 3740, to include among the primary missions of the National Intelligence Director the elimination of barriers to the coordination of intelligence activities. Page 20382

Roberts Amendment No. 3741, to permit the National Intelligence Director to modify National Intelligence Program budgets before their approval and submittal to the President. Page 20382

Roberts Amendment No. 3744, to clarify the limitation on the transfer of funds and personnel and to preserve and enhance congressional oversight of intelligence activities. Page 20382

Roberts Amendment No. 3751, to clarify the responsibilities of the Secretary of Defense pertaining to the National Intelligence Program. Page 20382

Kyl Amendment No. 3926, to amend the Immigration and Nationality Act to ensure that nonimmigrant visas are not issued to individuals with connections to terrorism or who intend to carry out terrorist activities in the United States. Page 20385

Kyl Amendment No. 3881, to protect crime victims' rights. Page 20386

Kyl Amendment No. 3724, to strengthen anti-terrorism investigative tools, promote information sharing, punish terrorist offenses. Page 20386

Stevens Amendment No. 3826, to modify the duties of the Director of the National Counterterrorism Center as the principal advisor to the President on counterterrorism matters. Page 20392

Stevens Amendment No. 3827, to strike section 206, relating to information sharing. Page 20392

Stevens Amendment No. 3829, to amend the effective date provision. Page 20392

Stevens Amendment No. 3840, to strike the fiscal and acquisition authorities of the National Intelligence Authority. Page 20392

Stevens Amendment No. 3882, to propose an alternative section 141, relating to the Inspector General of the National Intelligence Authority. Page 20395

Collins (for Inhofe) Amendment No. 3946 (to Amendment No. 3849), in the nature of a substitute. Page 20397

Sessions Amendment No. 3928, to require aliens to make an oath prior to receiving a nonimmigrant visa. Page 20400

Sessions Amendment No. 3873, to protect railroad carriers and mass transportation from terrorism. Page 20400

Sessions Amendment No. 3871, to provide for enhanced Federal, State, and local enforcement of the immigration laws. Page 20401

Sessions Amendment No. 3870, to make information sharing permanent under the USA PATRIOT ACT. Page 20402

Warner Amendment No. 3876, to preserve certain authorities and accountability in the implementation of intelligence reform. Page 20403

Collins (for Cornyn) Amendment No. 3803, to provide for enhanced criminal penalties for crimes related to alien smuggling. Page 20412

Collins (for Baucus/Roberts) Modified Amendment No. 3768, to require an annual report on the allocation of

funding within the Office of Foreign Assets Control of the Department of the Treasury. **Page 20413**

Collins (for Stevens) Amendment No. 3903, to strike section 201, relating to public disclosure of intelligence funding. **Page 20414**

Frist (for McConnell) Amendment No. 3930, to clarify that a volunteer for a federally-created citizen volunteer program and for the program's State and local affiliates is protected by the Volunteer Protection Act. **Page 20415**

Frist (for McConnell) Amendment No. 3931, to remove civil liability barriers that discourage the donation of equipment to volunteer fire companies. **Page 20415**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Tuesday, October 5, 2004. **Page 20416**

A unanimous-consent agreement was reached providing that notwithstanding the filing deadline for first degree amendments, it be in order for the Managers to propose cleared amendments prior to the cloture vote. **Page 20415**

A unanimous-consent agreement was reached providing that at 4:15 p.m., on Monday, October 4, 2004 the Senate proceed to votes in relation to certain amendments, and that no second degree amendments be in order to these amendments prior to the votes. **Page 20416**

A unanimous-consent agreement was reached providing for further consideration of the bill at 11 a.m., on Monday, October 4, 2004. **Page 20450**

Appointments:

Commission on Systemic Interoperability: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108–173, appointed the following individuals to the Commission on Systemic Interoperability: Vicky B. Gregg of Tennessee, and Ivan G. Seidenberg of New York. **Page 20439**

Nominations Confirmed: Senate confirmed the following nomination:

Alan Greenspan, of New York, to be United States Alternate Governor of the International Monetary Fund for a term of five years. (Reappointment) (Prior to this action, Committee on Foreign Relations was discharged from further consideration.) **Pages 20423, 20439, 20450**

Measures Placed on Calendar: **Page 20423**

Additional Cosponsors: **Page 20424**

Statements on Introduced Bills/Resolutions: **Page 20425**

Additional Statements: **Page 20423**

Amendments Submitted: **Page 20427**

Privilege of the Floor: **Page 20438**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:19 p.m., until 10 a.m., on Monday, October 4, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 20450.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 12:30 p.m. on Monday, October 4, for Morning Hour debate and at 2 p.m for legislative business.

Committee Meetings

No committee meetings were held.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED EIGHTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 20 through September 30, 2004

	Senate	*House*	*Total*
Days in session	115	96	..
Time in session	872 hrs., 22′	776 hrs., 55′	..
Congressional Record:			
Pages of proceedings	10,194	7,945	..
Extensions of Remarks	..	1,760	..
Public bills enacted into law	26	83	109
Private bills enacted into law	1	..	..
Bills in conference	6	16	..
Measures passed, total	410	559	969
Senate bills	111	37	..
House bills	116	263	..
Senate joint resolutions	5	3	..
House joint resolutions	2	6	..
Senate concurrent resolutions	33	11	..
House concurrent resolutions	29	69	..
Simple resolutions	114	170	..
Measures reported, total	*257	*302	559
Senate bills	171	14	..
House bills	59	202	..
Senate joint resolutions	5	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	6	..	..
House concurrent resolutions	2	6	..
Simple resolutions	14	79	..
Special reports	6	3	..
Conference reports	1	5	..
Measures pending on calendar	293	146	..
Measures introduced, total	1,104	2,013	3,117
Bills	875	1501	..
Joint resolutions	15	25	..
Concurrent resolutions	53	159	..
Simple resolutions	161	328	..
Quorum calls	..	1	..
Yea-and-nay votes	194	276	..
Recorded votes	..	209	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 161 reports have been filed in the Senate, a total of 310 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 20 through September 30, 2004

Civilian nominations, totaling 496 (including 195 nominations carried over from the First Session), disposed of as follows:	
Confirmed	154
Unconfirmed	321
Withdrawn	18
Returned to White House	3
Other Civilian nominations, totaling 3,160, (including 5 nominations carried over from the First Session), disposed of as follows:	
Confirmed	2,693
Unconfirmed	466
Withdrawn	1
Air Force nominations, totaling 8,166, (including 3,572 nominations carried over from the First Session), disposed of as follows:	
Confirmed	5,582
Unconfirmed	2,584
Army nominations, totaling 5,883 (including 594 nominations carried over from the First Session), disposed of as follows:	
Confirmed	5,767
Unconfirmed	116
Navy nominations, totaling 9,362 (including 2,444 nominations carried over from the First Session), disposed of as follows:	
Confirmed	8,908
Unconfirmed	454
Marine Corps nominations, totaling 1,227 (including 2 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,225
Unconfirmed	2

Summary

Total nominations carried over from the First Session	6,812
Total Nominations Received this session	21,482
Total confirmed	24,329
Total unconfirmed	3,943
Total withdrawn	19
Total returned to the White House	3

Monday, October 4, 2004

Senate

Chamber Action

Routine Proceedings, pages 20470–20563

Measures Introduced: Two bills and one resolution were introduced, as follows: S. 2885–2886, and S. Res. 446. **Page 20549**

Measures Reported:

S. 2688, to provide for a report of Federal entities without annually audited financial statements. (S. Rept. No. 108–383).

S. 2686, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act, with an amendment in the nature of a substitute. (S. Rept. No. 108–384).

H.R. 867, for the relief of Durreshahwar Durreshahwar, Nida Hasan, Asna Hasan, Anum Hasan, and Iqra Hasan.

S. 115, for the relief of Richi James Lesley.

S. 353, for the relief of Denes and Gyorgyi Fulop.

S. 1042, for the relief of Tchisou Tho.

S. 1635, to amend the Immigration and Nationality Act to ensure the integrity of the L–1 visa for intracompany transferees, with an amendment in the nature of a substitute.

S. 1784, to eliminate the safe-harbor exception for certain packaged pseudoephedrine products used in the manufacture of methamphetamine.

S. 2012, for the relief of Luay Lufti Hadad.

S. 2044, for the relief of Alemseghed Mussie Tesfamical.

S. 2089, to allow aliens who are eligible for diversity visas to be eligible beyond the fiscal year in which they applied.

S. 2314, for the relief of Nabil Raja Dandan, Ketty Dandan, Souzi Dandan, Raja Nabil Dandan, and Sandra Dandan.

S. 2331, for the relief of Fereshteh Sani. **Page 20549**

Measures Passed:

Congressional Accountability Act: Senate passed H.R. 5122, to amend the Congressional Accountability Act of 1995 to permit members of the Board of Directors of the Office of Compliance to serve for 2 terms, after agreeing to the following amendment proposed thereto as follows: **Page 20562**

Collins (for Lott) Amendment No. 3954, relating to the effective date. **Page 20562**

Honoring Former President Jimmy Carter: Senate agreed to S. Res. 446, honoring former President James Earl (Jimmy) Carter on the occasion of his 80th birthday. **Page 20562**

National Intelligence Reform Act: Senate continued consideration of S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, taking action on the following amendments proposed thereto: **Page 20477**

Adopted:

Collins/Lieberman Amendment No. 3950 (to Amendment No. 3705), to make certain technical amendments. **Page 20490**

Collins Amendment No. 3705, to provide for homeland security grant coordination and simplification. **Pages 20477, 20492, 20497**

Warner Further Modified Amendment No. 3877, to modify the role of the National Intelligence Director in the appointment of intelligence officials of the United States Government. **Pages 20477, 20509**

Stevens Modified Amendment No. 3829, to modify and clarify the effective date provisions. **Pages 20477, 20511**

Stevens Modified Amendment No. 3826, to modify the duties of the Director of the National Counterterrorism Center as the principal advisor to the President on counterterrorism matters. **Pages 20477, 20513**

Roberts Modified Amendment No. 3740, to make certain revisions to the bill, including providing for conforming amendments on responsibilities of the Secretary of Defense pertaining to the National Intelligence Program. **Pages 20477, 20514**

Roberts Modified Amendment No. 3748, to clarify the duties and responsibilities of the Ombudsman of the National Intelligence Authority and of the Analytic Review Unit within the Office of the Ombudsman. **Pages 20477, 20514**

Lieberman (for Nelson (FL)) Modified Amendment No. 3841, to require the Secretary of Homeland Security to implement a watchlist for passengers of cruise ships. **Pages 20477, 20534**

Lieberman (for Akaka) Modified Amendment No. 3833, to require a report on the implementation of recommendations of the Defense Science Board on preventing and defending against clandestine nuclear attack. **Page 20534**

Collins (for Snowe) Modified Amendment No. 3910, to require a study regarding establishing a secure facility for high-threat international cargo aircraft. **Page 20534**

Lieberman (for Boxer) Amendment No. 3836, to authorize the Secretary of Homeland Security to award grants to improve first-responder communications systems. **Page 20534**

Lieberman (for Inouye) Modified Amendment No. 3757, to require the Secretary of Homeland Security to report to the Congress on the technological capabilities and equipment for Transportation Security Administration field offices. **Page 20534**

Collins (for Domenici) Modified Amendment No. 3859, to provide that an authorized national intelligence center address each of the nuclear terrorism threats, chemical terrorism threats, and biological terrorism threats confronting the United States. **Page 20534**

Collins (for Domenici) Amendment No. 3860, to improve the working relationship between the intelligence community and the National Infrastructure Simulation and Analysis Center. **Page 20534**

Allard Amendment No. 3778, to improve the management of the personnel of the National Intelligence Authority. **Pages 20477, 20534**

Collins (for Specter) Modified Amendment No. 3818, to require a study relative to a nationwide interoperable communications network. **Page 20534**

Lieberman (for Jeffords) Modified Amendment No. 3832, to provide for communications equipment interoperability. **Page 20534**

Lieberman (for Bingaman) Amendment No. 3814, to provide the sense of Congress that United States foreign assistance should be provided to South Asia, Southeast Asia, West Africa, the Horn of Africa, North and North Central Africa, the Arabian peninsula, Central and Eastern Europe, and South America to prevent the establishment of terrorist sanctuaries. **Page 20534**

Lieberman (for Hollings) Amendment No. 3901, to require certain overdue reports relating to maritime security to be transmitted to the Congress within 90 days. **Page 20534**

Reid (for Durbin) Amendment No. 3923, to ensure the balance of privacy and civil liberties. **Pages 20527, 20534**

Lieberman (for Levin/Coleman) Modified Amendment No. 3867, to curtail the international financing of terrorism, and to impose a one-year cooling off period for former Federal bank examiners. **Page 20534**

Collins (for Allard) Modified Amendment No. 3722, to facilitate the utilization of United States commercial remote sensing space capabilities for filling imagery and geospatial information requirements. **Page 20534**

Levin/Alexander Amendment No. 3825, to permit reviews of criminal records of applicants for private security officer employment. **Pages 20503, 20534**

Lieberman (for Feingold) Modified Amendment No. 3762, to improve information-sharing by the national intelligence centers. **Page 20534**

Lieberman (for Kennedy) Amendment No. 3952, to provide protections for human subjects in research conducted or supported by the Department of Homeland Security.

Rejected:

Byrd Amendment No. 3845, to enhance the role of Congress in the oversight of the intelligence and intelligence-related activities of the United States Government. (By 62 yeas to 29 nays (Vote No. 195), Senate tabled the amendment.) **Pages 20477, 20492, 20510**

Collins (for Stevens) Modified Amendment No. 3903, to modify the provisions relating to the availability to the public of intelligence funding information. (By 55 yeas to 37 nays (Vote No. 196), Senate tabled the amendment.) **Pages 20477, 20506, 20511**

Subsequently, the motion to reconsider the vote by which Senate tabled Collins (for Stevens) Modified Amendment No. 3903 (listed above) was tabled. **Page 20512**

Withdrawn:

Roberts Amendment No. 3741, to permit the National Intelligence Director to modify National Intelligence Program budgets before their approval and submittal to the President. **Pages 20477, 20514**

Roberts Amendment No. 3744, to clarify the limitation on the transfer of funds and personnel and to preserve and enhance congressional oversight of intelligence activities. **Pages 20477, 20514**

Roberts Amendment No. 3751, to clarify the responsibilities of the Secretary of Defense pertaining to the National Intelligence Program. **Pages 20477, 20514**

Pending:

Lautenberg Amendment No. 3767, to specify that the National Intelligence Director shall serve for one or more terms of up to 5 years each. **Page 20477**

Kyl Amendment No. 3801, to modify the privacy and civil liberties oversight. **Page 20477**

Feinstein Amendment No. 3718, to improve the intelligence functions of the Federal Bureau of Investigation. **Page 20477**

Stevens Amendment No. 3839, to strike section 201, relating to public disclosure of intelligence funding. **Page 20477**

Ensign Amendment No. 3819, to require the Secretary of State to increase the number of consular officers, clarify the responsibilities and functions of consular officers, and require the Secretary of Homeland Security to increase the number of border patrol agents and customs enforcement investigators. **Page 20477**

Reid (for Schumer) Amendment No. 3887, to amend the Foreign Intelligence Surveillance Act of 1978 to cover individuals, other than United States persons, who engage in international terrorism without affiliation with an international terrorist group. **Page 20477**

Reid (for Schumer) Amendment No. 3888, to establish the United States Homeland Security Signal Corps to ensure proper communications between law enforcement agencies. **Page 20477**

Reid (for Schumer) Amendment No. 3889, to establish a National Commission on the United States-Saudi Arabia Relationship. **Page 20477**

Reid (for Schumer) Amendment No. 3890, to improve the security of hazardous materials transported by truck. **Page 20477**

Reid (for Schumer) Amendment No. 3891, to improve rail security. **Page 20477**

Reid (for Schumer) Amendment No. 3892, to strengthen border security. **Page 20477**

Reid (for Schumer) Amendment No. 3893, to require inspection of cargo at ports in the United States. **Page 20477**

Reid (for Schumer) Amendment No. 3894, to amend the Homeland Security Act of 2002 to enhance cybersecurity. **Page 20477**

Leahy/Grassley Amendment No. 3945, to require Congressional oversight of translators employed and contracted for by the Federal Bureau of Investigation. **Page 20477**

Reed Amendment No. 3908, to authorize the Secretary of Homeland Security to award grants to public transportation agencies to improve security. **Page 20477**

Reid (for Corzine/Lautenberg) Amendment No. 3849, to protect human health and the environment from the release of hazardous substances by acts of terrorism. **Page 20477**

Reid (for Lautenberg) Amendment No. 3782, to require that any Federal funds appropriated to the Department of Homeland Security for grants or other assistance be allocated based strictly on an assessment of risks and vulnerabilities. **Page 20477**

Reid (for Lautenberg) Amendment No. 3905, to provide for maritime transportation security. **Page 20477**

Reid (for Harkin) Amendment No. 3821, to modify the functions of the Privacy and Civil Liberties Oversight Board. **Page 20477**

Roberts Amendment No. 3739, to ensure the sharing of intelligence information in a manner that promotes all-sources analysis and to assign responsibility for competitive analysis. **Page 20477**

Roberts Amendment No. 3750, to clarify the responsibilities of the Directorate of Intelligence of the National Counterterrorism Center for information-sharing and intelligence analysis. **Page 20477**

Roberts Amendment No. 3747, to provide the National Intelligence Director with flexible administrative authority with respect to the National Intelligence Authority. **Page 20477**

Roberts Amendment No. 3742, to clarify the continuing applicability of section 504 of the National Security Act of 1947 to the obligation and expenditure of funds appropriated for the intelligence and intelligence-related activities of the United States. **Page 20477**

Kyl Amendment No. 3926, to amend the Immigration and Nationality Act to ensure that nonimmigrant visas are not issued to individuals with connections to terrorism or who intend to carry out terrorist activities in the United States. **Page 20477**

Kyl Amendment No. 3881, to protect crime victims' rights. **Page 20477**

Kyl Amendment No. 3724, to strengthen anti-terrorism investigative tools, promote information sharing, punish terrorist offenses. **Page 20477**

Stevens Amendment No. 3827, to strike section 206, relating to information sharing. **Pages 20477, 20513**

Stevens Amendment No. 3840, to strike the fiscal and acquisition authorities of the National Intelligence Authority. **Page 20477**

Stevens Amendment No. 3882, to propose an alternative section 141, relating to the Inspector General of the National Intelligence Authority. **Page 20477**

Collins (for Inhofe) Amendment No. 3946 (to Amendment No. 3849), in the nature of a substitute. **Page 20477**

Sessions Amendment No. 3928, to require aliens to make an oath prior to receiving a nonimmigrant visa. **Page 20477**

Sessions Amendment No. 3873, to protect railroad carriers and mass transportation from terrorism. **Page 20477**

Sessions Amendment No. 3871, to provide for enhanced Federal, State, and local enforcement of the immigration laws. **Pages 20477, 20527**

Sessions Amendment No. 3870, to make information sharing permanent under the USA PATRIOT Act. **Page 20477**

Warner Amendment No. 3876, to preserve certain authorities and accountability in the implementation of intelligence reform. **Page 20477**

Collins (for Cornyn) Amendment No. 3803, to provide for enhanced criminal penalties for crimes related to alien smuggling. **Page 20477**

Collins (for Baucus/Roberts) Modified Amendment No. 3768, to require an annual report on the allocation of funding within the Office of Foreign Assets Control of the Department of the Treasury. **Page 20477**

Frist (for McConnell) Amendment No. 3930, to clarify that a volunteer for a federally-created citizen volunteer program and for the program's State and local affiliates is protected by the Volunteer Protection Act. **Page 20477**

Frist (for McConnell) Amendment No. 3931, to remove civil liability barriers that discourage the donation of equipment to volunteer fire companies. **Page 20477**

Levin Modified Amendment No. 3809, to exempt military personnel from certain personnel transfer authorities. **Page 20503**

Levin Amendment No. 3810, to clarify the definition of National Intelligence Program. **Page 20503**

Stevens Amendment No. 3830, to modify certain provisions relating to the Central Intelligence Agency. **Page 20513**

Warner Amendment No. 3875, to clarify the definition of National Intelligence Program. **Page 20517**

Warner Amendment No. 3874, to provide for the treatment of programs, projects, and activities within the

Joint Military Intelligence Program and Tactical Intelligence and Related Activities programs as of the date of the enactment of the Act. Page 20517

Reid (for Leahy) Amendment No. 3913, to address enforcement of certain subpoenas. Page 20521

Reid (for Leahy) Amendment No. 3915, to establish criteria for placing individuals on the consolidated screening watch list of the Terrorist Screening Center. Page 20521

Reid (for Leahy) Amendment No. 3916, to strengthen civil liberties protections. Page 20521

Collins (for Frist) Modified Amendment No. 3895, to establish the National Counterproliferation Center within the National Intelligence Authority. Page 20524

Collins (for Frist) Amendment No. 3896, to include certain additional Members of Congress among the congressional intelligence committees. Page 20524

Sessions (for Grassley) Amendment No. 3850, to require the inclusion of information regarding visa revocations in the National Crime Information Center database. Page 20528

Sessions (for Grassley) Amendment No. 3851, to clarify the effects of revocation of a visa. Page 20528

Sessions (for Grassley) Amendment No. 3855, to combat money laundering and terrorist financing, to increase the penalties for smuggling goods into the United States. Page 20528

Sessions (for Grassley) Amendment No. 3856, to establish a United States drug interdiction coordinator for Federal agencies. Page 20528

Sessions/Ensign Amendment No. 3872, to amend the Immigration and Nationality Act to require fingerprints on United States passports and to require countries desiring to participate in the Visa Waiver Program to issue passports that conform to the biometric standards required for United States passports. Page 20528

A unanimous-consent agreement was reached providing that Members have until 9:45 a.m. on Tuesday, October 5, 2004, in order to file second degree amendments as under rule 22. Page 20563

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:40 a.m., Tuesday, October 5, 2004, with a vote on the motion to invoke cloture to occur at 9:45 a.m. Page 20563

Miscellaneous Trade and Technical Corrections Act: Senate insisted on its amendment, agreed to the House request for a conference, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Grassley, Frist, and Baucus. Page 20563

Appointments:

Commission on the Abraham Lincoln Study Abroad Fellowship Program: The Chair, on behalf of the Majority Leader and Democratic Leader of the Senate and the Speaker of the House of Representatives and Minority Leader of the House of Representatives, pursuant to Public Law 108–199, Section 104(c)(1), announced the joint appointment of the following individual to serve as Chairman of the Commission on the Abraham Lincoln Study Abroad Fellowship Program: Peter McPherson. Page 20562

Executive Communications: Page 20547

Executive Reports of Committees: Page 20549

Additional Cosponsors: Page 20549

Statements on Introduced Bills/Resolutions: Page 20550

Additional Statements: Page 20546

Amendments Submitted: Page 20553

Notices of Hearings/Meetings: Page 20561

Authority for Committees to Meet: Page 20561

Privilege of the Floor: Page 20562

Record Votes: Two record votes were taken today. (Total—196) Pages 20511, 20512

Adjournment: Senate convened at 10 a.m., and adjourned at 9:18 p.m., until 9 a.m., on Tuesday, October 5, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 20563.)

Committee Meetings

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1784, to eliminate the safe-harbor exception for certain packaged pseudoephedrine products used in the manufacture of methamphetamine;

S. 2089, to allow aliens who are eligible for diversity visas to be eligible beyond the fiscal year in which they applied;

S. 115, for the relief of Richi James Lesley;

S. 2331, for the relief of Fereshteh Sani;

S. 1042, for the relief of Tchisou Tho;

S. 2314, for the relief of Nabil Raja Dandan, Ketty Dandan, Souzi Dandan, Raja Nabil Dandan, and Sandra Dandan;

S. 353, for the relief of Denes and Gyorgyi Fulop;

H.R. 867, for the relief of Durreshahwar Durreshahwar, Nida Hasan, Asna Hasan, Anum Hasan, and Iqra Hasan;

S. 2012, for the relief of Luay Lufti Hadad;

S. 2044, for the relief of Alemseghed Mussie Tesfamical; and

The nominations of Susan Bieke Neilson, of Michigan, to be United States Circuit Judge for the Sixth Circuit, Christopher A. Boyko, to be United States District Judge for the Northern District of Ohio, and Beryl A. Howell, of the District of Columbia, to be a Member of the United States Sentencing Commission.

House of Representatives

Chamber Action

Measures Introduced: 9 public bills, H.R. 5201–5209; and 6 resolutions, H. Con. Res. 508–509, and H. Res. 815–818, were introduced. **Page 20658**

Additional Cosponsors: **Page 20658**

Reports Filed: Reports were filed today as follows:

S. 551, to provide for the implementation of air quality programs developed in accordance with an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado concerning Air Quality Control on the Southern Ute Indian Reservation (H. Rept. 108–712, Pt. 2);

S. 1814, to transfer federal lands between the Secretary of Agriculture and the Secretary of the Interior (H. Rept. 108–716, Pt. 1);

H.R. 3176, to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, amended (H. Rept. 108–717);

H.R. 4389, to authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California (H. Rept. 108–718, Pt. 1);

H.R. 3391, to authorize the Secretary of the Interior to convey certain lands and facilities of the Provo River Project, amended (H. Rept. 108–719);

H.R. 4593, to establish wilderness areas, promote conservation, improve public land, and provide for the high quality development in Lincoln County, Nevada, amended (H. Rept. 108–720);

H.R. 4667, to authorize and facilitate hydroelectric power licensing of the Tapoco Project (H. Rept. 108–721, Pt. 1);

Investigation of Certain Allegations Related to Voting on the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (H. Rept. 108–722);

H. Res. 814, providing for consideration of S. 878, to authorize an additional permanent judgeship in the district of Idaho (H. Rept. 108–723); and

H.R. 10, to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, amended (H. Rept. 108–724, Pts. 1, 2 and 3).

Page 20657

Speaker: Read a letter from the Speaker wherein he appointed Representative Shuster to act as Speaker pro tempore for today. **Page 20564**

Recess: The House recessed at 12:37 p.m. and reconvened at 2 p.m. **Page 20564**

Commission on the Abraham Lincoln Study Abroad Fellowship Program: The Chair announced that the Speaker and Minority Leader, with the Majority and Minority Leaders of the Senate, jointly appointed Mr. Melville Peter McPherson of East Lansing, Michigan as Chairman of the Commission on the Abraham Lincoln Study Abroad Fellowship Program. **Page 20565**

Commission on Systemic Interoperability: The Chair announced the Speaker's appointment of Mr. Gary A. Mecklenburg of Chicago, Illinois, and Dr. Don E. Detmer of Crozet, Virginia, to the Commission on Systemic Interoperability. **Page 20565**

Advisory Committee on Student Financial Assistance: The Chair announced the Speaker's appointment of Ms. Norine Fuller of Arlington, Virginia, to the Advisory Committee on Student Financial Assistance for a three-year term. **Page 20565**

Election Assistance Commission Board of Advisors: Read a letter from the Minority Leader wherein she appointed Mr. Douglas H. Palmer of Trenton, New Jersey to the Election Assistance Commission Board of Advisors. **Page 20565**

Assignment of reserved bill numbers: Agreed that the numbers H.R. 3, H.R. 9, and H.R. 10 shall be available during the 2d session of the 108th Congress for assignment by the Speaker to such bills as he may designate. **Page 20566**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Petrified Forest National Park Expansion Act of 2003: H.R. 1630, amended, to revise the boundary of the Petrified Forest National Park in the State of Arizona; **Page 20567**

Taunton, Massachusetts Special Resources Study Act: H.R. 2129, amended, to direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System; **Page 20568**

Facilitating the resolution of a minor boundary encroachment on Union Pacific Railroad Company lands: H.R. 4817, amended, to facilitate the resolution of a minor boundary encroachment on lands of the Union Pacific Railroad Company in Tipton, California; **Page 20569**

Recognizing that November 2, 2003 shall be dedicated to "A Tribute to Survivors" at the U.S. Holocaust Museum: S. Con. Res. 76, recognizing that November 2, 2003, shall be dedicated to "A Tribute to Survivors" at the United States Holocaust Memorial Museum, by a ⅔ yea-and-nay vote of 331 yeas with none voting "nay", Roll No. 487; **Pages 20569, 20596**

Tapoco Project Licensing Act of 2004: S. 2319, to authorize and facilitate hydroelectric power licensing of the Tapoco Project—clearing the measure for the President; **Page 20571**

Edward H. McDaniel American Legion Post No. 22 Land Conveyance Act: S. 1521, amended, to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community; **Page 20572**

Agreed to amend the title so as to read: to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community. **Page 20576**

Lincoln County Conservation, Recreation, and Development Act of 2004: H.R. 4593, amended, to establish wilderness areas, promote conservation, improve public land, and provide for the high quality development in Lincoln County, Nevada; **Page 20576**

Amending the Reclamation Wastewater and Groundwater Study and Facilities Act: H.R. 2960, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Brownsville Public Utility Board water recycling and desalinization project; **Page 20582**

Provo River Project Transfer Act: H.R. 3391, amended, to authorize the Secretary of the Interior to convey certain lands and facilities of the Provo River Project; **Page 20583**

Authorizing the construction of facilities to provide water for various uses from the Santa Margarita River in California: H.R. 4389, amended, to authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California; **Page 20585**

Directing the Secretary of the Interior to convey land held for the Paiute Indian Tribe of Utah to the City of Richfield, Utah: H.R. 3982, to direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah; **Page 20587**

Alaska Native Allotment Subdivision Act: S. 1421, to authorize the subdivision and dedication of restricted land owned by Alaska Natives—clearing the measure for the President; **Page 20588**

Noxious Weed Control Act of 2004: S. 144, amended, to require the Secretary of the Interior to establish a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, nonnative weeds on public and private land; **Page 20588**

Agreed to amend the title so as to read: to require the Secretary of Agriculture to establish a program to provide assistance to eligible weed management entities to control or eradicate noxious weeds on public and private land. **Page 20590**

Transferring federal lands between the Secretaries of Agriculture and the Interior: S. 1814, to transfer federal lands between the Secretary of Agriculture and the Secretary of the Interior, by a ⅔ yea-and-nay vote of 333 yeas with none voting "nay", Roll No. 488—clearing the measure for the President; **Pages 20590, 20597**

Congratulating the American Dental Association for sponsoring the second annual "Give Kids a Smile" program: H. Res. 567, congratulating the American Dental Association for sponsoring the second annual "Give Kids a Smile" program, by a ⅔ yea-and-nay vote of 338 yeas with none voting "nay", Roll No. 489; **Pages 20592, 20598**

Southern Ute and Colorado Intergovernmental Agreement Implementation Act of 2003: S. 551, to provide for the implementation of air quality programs developed in accordance with an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado concerning Air Quality Control on the Southern Ute Indian Reservation—clearing the measure for the President; **Page 20593**

Clarifying the treatment of supplemental appropriations for continuing appropriations for FY05: H.R. 5202, to clarify the treatment of supplemental appropriations in calculating the rate for operations applicable for continuing appropriations for fiscal year 2005; **Page 20594**

North Korean Human Rights Act of 2004: Agree to the Senate amendment to H.R. 4011, to promote human rights and freedom in the Democratic People's Republic of Korea—clearing the measure for the President; **Page 20599**

Urging the Government of Ukraine to ensure a democratic election process for the presidential election on October 31, 2004: H. Con. Res. 415, amended, urging the Government of Ukraine to ensure a democratic, transparent, and fair election process for the presidential election on October 31, 2004; **Page 20604**

Belarus Democracy Act of 2003: H.R. 854, amended, to provide for the promotion of democracy, human rights, and rule of law in the Republic of Belarus and for the consolidation and strengthening of Belarus sovereignty and independence; **Page 20607**

Commending Greece for the successful completion of the 2004 Summer Olympic Games: H. Res. 774, commending the people and Government of Greece for the successful completion of the 2004 Summer Olympic Games; **Page 20611**

Expressing the sense of Congress regarding oppression of Falun Gong in the U.S. and in China: H. Con. Res.

304, expressing the sense of Congress regarding oppression by the Government of the People's Republic of China of Falun Gong in the United States and in China; and Page 20612

Expressing the sense of Congress with regard to providing humanitarian assistance to countries of the Caribbean devastated by hurricanes: H. Con. Res. 496, amended, expressing the sense of Congress with regard to providing humanitarian assistance to countries of the Caribbean devastated by Hurricanes Charley, Frances, Ivan, and Jeanne. Page 20616

Recess: The House recessed at 3:18 and reconvened at 4:17 p.m. Page 20594

Recess: The House recessed at 4:26 p.m. and reconvened at 6:30 p.m. Page 20596

Senate Message: Message received from the Senate today appears on page 20565.

Senate Referrals: S. 2273 was referred to the Committee on Transportation and Infrastructure; S. 2435 was referred to the Committee on Government Reform; S. 2495 was referred to the Committee on Resources; S. 2882 was referred to the Committee on the Judiciary; and S. 2883 and S. 2884 were held at the desk. Page 20654

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages 20597–98. There were no quorum calls.

Amendments: Amendments ordered printed pursuant to the rule appear on page 20659.

Adjournment: The House met at 12:30 p.m. and adjourned at 12 midnight.

Committee Meetings

BANKRUPTCY JUDGESHIP ACT

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of general debate on S. 878, Bankruptcy Judgeship Act of 2003, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be offered only in the order designated in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Sensenbrenner and Representatives Simpson and Berman.

Joint Meetings

AMERICAN JOBS CREATION ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad, but did not complete action thereon.

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Tuesday, October 5, 2004

Senate

Chamber Action

Routine Proceedings, pages 20680–20770

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 2887–2898, S. Res. 447, and S. Con. Res. 140. Page 20737

Measures Reported:

H.R. 2608, to reauthorize the National Earthquake Hazards Reduction Program. (S. Rept. No. 108–385)

S. Res. 445, to eliminate certain restrictions on service of a Senator on the Senate Select Committee on Intelligence. Page 20737

Measures Passed:

Presidential Pardon: Senate agreed to S. Res. 447, expressing the sense of the Senate that the President of the United States should exercise his Constitutional Authority to pardon posthumously John Arthur "Jack" Johnson for Mr. Johnson's racially-motivated 1913 conviction that diminished his athletic, cultural, and historic significance, and unduly tarnished his reputation. Page 20717

Veterans' Compensation Cost-Of-Living Adjustment Act: Committee on Veterans' Affairs was discharged from further consideration of H.R. 4175, to increase, effective as of December 1, 2004, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for

survivors of certain service-connected disabled veterans, and the bill was then passed after striking all after the enacting clause and inserting in lieu thereof the text of S. 2483, Senate companion-measure. Page 20760

Subsequently, S. 2483 was returned to the Senate calendar. Page 20761

St. Louis Gateway Arch Lighting: Senate passed S. 2895, to authorize the Gateway Arch in St. Louis, Missouri, to be illuminated by pink lights in honor of breast cancer awareness month. Page 20761

Communications Satellite Act: Senate passed S. 2896, to modify and extend certain privatization requirements of the Communications Satellite Act of 1962. Page 20761

Little Rock Central High School National Historic Site: Committee on Energy and Natural Resources was discharged from further consideration of S. Res. 420, recommending expenditures for an appropriate visitors center at Little Rock Central High School National Historic Site to commemorate the desegregation of Little Rock Central High School, and the resolution was then agreed to. Page 20761

Protecting Older Americans From Fraud Month: Senate agreed to S. Res. 424, designating October 2004 as "Protecting Older Americans From Fraud Month". Page 20762

Department of Veterans Affairs Health Care Personnel Enhancement Act: Senate passed S. 2484, to amend title 38, United States Code, to simplify and improve pay provisions for physicians and dentists and to authorize alternate work schedules and executive pay for nurses, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: Page 20762

Frist (for Specter) Amendment No. 3973, in the nature of a substitute. Page 20769

National Intelligence Reform Act: Senate continued consideration of S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, taking action on the following amendments proposed thereto: Pages 20683, 20689, 20699

Adopted:

Collins (for Cantwell) Modified Amendment No. 3933, to require biometric identification information on travel documents of aliens seeking to enter the United States. Pages 20683, 20694

Collins/Lieberman Amendment No. 3957, to provide for certain revisions to the bill, including providing for permanent authority for the Public Interest Declassification Board, and for homeland security civil rights and civil liberties protection. Page 20683

Collins (for Rockefeller) Modified Amendment No. 3712, to provide improved aviation security. Page 20683

Collins (for Baucus) Further Modified Amendment No. 3768, to require an annual report on the allocation of funding within the Office of Foreign Assets Control of the Department of the Treasury. Page 20683

Feinstein Modified Amendment No. 3718, to improve the intelligence functions of the Federal Bureau of Investigation. Pages 20689, 20691

Collins (for Gregg) Modified Amendment No. 3934, to enhance the role of the Federal Bureau of Investigation in its intelligence and law enforcement missions. Page 20693

Withdrawn:

Chambliss Amendment No. 3710, to provide for the establishment of a unified combatant command for military intelligence. Page 20691

Roberts Amendment No. 3739, to ensure the sharing of intelligence information in a manner that promotes all-sources analysis and to assign responsibility for competitive analysis. Pages 20690, 20697

Roberts Amendment No. 3750, to clarify the responsibilities of the Directorate of Intelligence of the National Counterterrorism Center for information-sharing and intelligence analysis. Pages 20690, 20697

Lautenberg Amendment No. 3767, to specify that the National Intelligence Director shall serve for one or more terms of up to 5 years each. Pages 20689, 20717

Pending:

Kyl Amendment No. 3801, to modify the privacy and civil liberties oversight. Page 20689

Stevens Amendment No. 3839, to strike section 201, relating to public disclosure of intelligence funding. Page 20689

Leahy/Grassley Amendment No. 3945, to require Congressional oversight of translators employed and contracted for by the Federal Bureau of Investigation. Page 20689

Reid (for Harkin) Amendment No. 3821, to modify the functions of the Privacy and Civil Liberties Oversight Board. Page 20690

Roberts Amendment No. 3742, to clarify the continuing applicability of section 504 of the National Security Act of 1947 to the obligation and expenditure of funds appropriated for the intelligence and intelligence-related activities of the United States. Page 20690

Stevens Amendment No. 3827, to strike section 206, relating to information sharing. Page 20690

Stevens Amendment No. 3840, to strike the fiscal and acquisition authorities of the National Intelligence Authority. Page 20690

Stevens Amendment No. 3882, to propose an alternative section 141, relating to the Inspector General of the National Intelligence Authority. Page 20690

Warner Amendment No. 3876, to preserve certain authorities and accountability in the implementation of intelligence reform. Page 20690

Levin Modified Amendment No. 3809, to exempt military personnel from certain personnel transfer authorities. **Page 20690**

Levin Amendment No. 3810, to clarify the definition of National Intelligence Program. **Page 20690**

Stevens Amendment No. 3830, to modify certain provisions relating to the Central Intelligence Agency. **Page 20690**

Warner Amendment No. 3875, to clarify the definition of National Intelligence Program. **Page 20690**

Reid (for Leahy) Amendment No. 3913, to address enforcement of certain subpoenas. **Page 20690**

Reid (for Leahy) Amendment No. 3916, to strengthen civil liberties protections. **Page 20690**

Reid (for Leahy) Amendment No. 3915, to establish criteria for placing individuals on the consolidated screening watch list of the Terrorist Screening Center. **Page 20690**

Collins (for Frist) Modified Amendment No. 3895, to establish the National Counterproliferation Center within the National Intelligence Authority. **Page 20690**

Collins (for Frist) Amendment No. 3896, to include certain additional Members of Congress among the congressional intelligence committees. **Page 20690**

During consideration of this measure today, Senate also took the following action:

By 85 yeas to 10 nays (Vote No. 197), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page 20690**

Chair sustained certain points of order against the following amendments:

Reid (for Schumer) Amendment No. 3887, to amend the Foreign Intelligence Surveillance Act of 1978 to cover individuals, other than United States persons, who engage in international terrorism without affiliation with an international terrorist group. **Pages 20689, 20697**

Reid (for Schumer) Amendment No. 3888, to establish the United States Homeland Security Signal Corps to ensure proper communications between law enforcement agencies. **Pages 20689, 20697**

Reid (for Schumer) Amendment No. 3889, to establish a National Commission on the United States-Saudi Arabia Relationship. **Pages 20689, 20697**

Reid (for Schumer) Amendment No. 3890, to improve the security of hazardous materials transported by truck. **Pages 20689, 20697**

Reid (for Schumer) Amendment No. 3891, to improve rail security. **Pages 20689, 20697**

Reid (for Schumer) Amendment No. 3892, to strengthen border security. **Pages 20689, 20697**

Reid (for Schumer) Amendment No. 3893, to require inspection of cargo at ports in the United States. **Pages 20689, 20697**

Reid (for Schumer) Amendment No. 3894, to amend the Homeland Security Act of 2002 to enhance cybersecurity. **Pages 20689, 20697**

Reed Amendment No. 3908, to authorize the Secretary of Homeland Security to award grants to public transportation agencies to improve security. **Pages 20689, 20697**

Reid (for Corzine/Lautenberg) Amendment No. 3849, to protect human health and the environment from the release of hazardous substances by acts of terrorism. **Pages 20689, 20697**

Reid (for Lautenberg) Amendment No. 3782, to require that any Federal funds appropriated to the Department of Homeland Security for grants or other assistance be allocated based strictly on an assessment of risks and vulnerabilities. **Pages 20690, 20697**

Reid (for Lautenberg) Amendment No. 3905, to provide for maritime transportation security. **Pages 20690, 20697**

Roberts Amendment No. 3747, to provide the National Intelligence Director with flexible administrative authority with respect to the National Intelligence Authority. **Pages 20690, 20697**

Kyl Amendment No. 3881, to protect crime victims' rights. **Pages 20690, 20697**

Kyl Amendment No. 3724, to strengthen anti-terrorism investigative tools, promote information sharing, punish terrorist offenses. **Pages 20690, 20697**

Sessions Amendment No. 3928, to require aliens to make an oath prior to receiving a nonimmigrant visa. **Pages 20690, 20697**

Sessions Amendment No. 3873, to protect railroad carriers and mass transportation from terrorism. **Pages 20690, 20697**

Sessions Amendment No. 3871, to provide for enhanced Federal, State, and local enforcement of the immigration laws. **Pages 20690, 20697**

Sessions Amendment No. 3870, to make information sharing permanent under the USA PATRIOT Act. **Pages 20690, 20697**

Collins (for Cornyn) Amendment No. 3803, to provide for enhanced criminal penalties for crimes related to alien smuggling. **Pages 20690, 20697**

Frist (for McConnell) Amendment No. 3930, to clarify that a volunteer for a federally-created citizen volunteer program and for the program's State and local affiliates is protected by the Volunteer Protection Act. **Pages 20690, 20697**

Frist (for McConnell) Amendment No. 3931, to remove civil liability barriers that discourage the donation of equipment to volunteer fire companies. **Pages 20690, 20697**

Warner Amendment No. 3874, to provide for the treatment of programs, projects, and activities within the Joint Military Intelligence Program and Tactical Intelligence and Related Activities programs as of the date of the enactment of the Act. **Pages 20690, 20697**

Sessions (for Grassley) Amendment No. 3850, to require the inclusion of information regarding visa revocations in the National Crime Information Center database. **Pages 20690, 20697**

Sessions (for Grassley) Amendment No. 3851, to clarify the effects of revocation of a visa. **Pages 20690, 20697**

Sessions (for Grassley) Amendment No. 3855, to combat money laundering and terrorist financing, to increase the penalties for smuggling goods into the United States. **Pages 20690, 20697**

Sessions (for Grassley) Amendment No. 3856, to establish a United States drug interdiction coordinator for Federal agencies. **Pages 20690, 20697**

Sessions/Ensign Amendment No. 3872, to amend the Immigration and Nationality Act to require fingerprints on United States passports and to require countries desiring to participate in the Visa Waiver Program to issue passports that conform to the biometric standards required for United States passports. **Pages 20690, 20697**

Kyl Amendment No. 3926, to amend the Immigration and Nationality Act to ensure that nonimmigrant visas are not issued to individuals with connections to terrorism or who intend to carry out terrorist activities in the United States. **Pages 20690, 20697**

Ensign Amendment No. 3819, to require the Secretary of State to increase the number of consular officers, clarify the responsibilities and functions of consular officers, and require the Secretary of Homeland Security to increase the number of border patrol agents and customs enforcement investigators. **Pages 20689, 20697**

Subsequently, the aforementioned amendments were ruled out of order since they were not germane to the bill under the provisions of Rule 22. **Page 20698**

Subsequently, Collins (for Inhofe) Amendment No. 3946 (to Amendment No. 3849), in the nature of a substitute, fell when Amendment No. 3849 (listed above) was ruled out of order. **Page 20690**

Lieberman (for Bingaman) Amendment No. 3814, to provide the sense of Congress that United States foreign assistance should be provided to South Asia, Southeast Asia, West Africa, the Horn of Africa, North and North Central Africa, the Arabian peninsula, Central and Eastern Europe, and South America to prevent the establishment of terrorist sanctuaries, previously agreed to on Monday, October 4, 2004, was modified by unanimous consent. **Page 20717**

A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate or other business before the Senate, all time be counted as post-cloture time on the bill; provided further, that at 11:30 a.m. on Wednesday, October 6, 2004, Senate begin a series of rollcall votes on the pending amendments in the order offered; further that there be two minutes equally divided prior to each vote, with no second degree amendments in order to the amendments prior to the votes; provided further, that the voting sequence end at Amendment No. 3916. **Page 20719**

A unanimous-consent agreement was reached providing that it be in order for the Managers, with the concurrence of the two Leaders, to send a Managers' amendment to the desk, prior to passage of the bill. **Page 20719**

A unanimous-consent agreement was reached providing that following conclusion of those votes and the expiration of any remaining time under Rule XXII, Senate vote on any qualified amendment, to be followed by third reading and a vote on passage of the bill as amended, with no intervening action or debate. **Page 20719**

Intelligence Committee Reform—Agreement: A unanimous-consent agreement was reached providing that following passage of S. 2845 (listed above), Senate begin consideration of S. Res. 445, to eliminate certain restrictions on service of a Senator on the Senate Select Committee on Intelligence. **Page 20719**

Nominations Received: Senate received the following nominations:

Ronald Rosenfeld, of Oklahoma, to be a Director of the Federal Housing Finance Board for the remainder of the term expiring February 27, 2009.

Michael Butler, of Tennessee, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for a term expiring October 6, 2008. **Page 20770**

Messages From the House: **Page 20735**

Executive Communications: **Page 20736**

Additional Cosponsors: **Page 20737**

Statements on Introduced Bills/Resolutions: **Page 20738**

Additional Statements: **Page 20732**

Amendments Submitted: **Page 20747**

Authority for Committees to Meet: **Page 20760**

Privilege of the Floor: **Page 20760**

Record Votes: One record vote was taken today. (Total—197) **Page 20690**

Adjournment: Senate convened at 9 a.m., and adjourned at 8:17 p.m., until 9:30 a.m., on Wednesday, October 6, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 20769.)

Committee Meetings

NOMINATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nomination of Pamela Hughes Patenaude, of New Hampshire, to be an Assistant Secretary of Housing and Urban Development for Community Planning and Development, after the

nominee, who was introduced by Representative Bradley, testified and answered questions in her own behalf.

UNIVERSAL SERVICE E-RATE PROGRAM

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine waste, fraud, and abuse issues relating to Universal Service E-rate program, after receiving testimony from Thomas Bennett, Assistant Inspector General for USF Oversight, and Tom Cline, Assistant Inspector General for Audits, both of the Federal Communications Commission; George McDonald and Frank Gumper, both of the Universal Service Administrative Company, Washington, D.C.; and Winston E. Himsworth, E-Rate Central, Seaford, New York, on behalf of the State E-rate Coordinator's Alliance.

MILLENNIUM CHALLENGE CORPORATION

Committee on Foreign Relations: Committee concluded a hearing to examine the progress and future performance of the Millennium Challenge Corporation (MCC), focusing on the size of the foreign aid commitment, the competitive selection process for MCC funds, the separation from the strategic foreign policy goals of the United States, and civil society proposals in each country, after receiving testimony from Paul V. Applegarth, Chief Executive Officer, Millennium Challenge Corporation, Department of State.

NOMINATION

Committee on Governmental Affairs: Committee concluded a hearing to examine the nomination of Gregory E. Jackson, to be an Associate Judge of the Superior Court of the District of Columbia, after the nominee, who was introduced by District of Columbia Delegate Norton, testified and answered questions in his own behalf.

CHILDHOOD OBESITY PREVENTION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine public-private partnerships to improve nutrition and increase physical activity in children, after receiving testimony from Senator Wyden; Dixie E. Snider, Jr., Acting Chief of Science, Centers for Disease Control and Prevention, and Lynn C. Swann, Chairman, President's Council on Physical Fitness and Sports, Office of Public Health and Science, both of the Department of Health and Human Services; William Potts-Datema, Harvard School of Public Health Partnerships for Children's Health, Boston, Massachusetts, on behalf of Action for Healthy Kids; Ross C. Brownson, Saint Louis University School of Public Health Department of Community Health, St. Louis, Missouri; and Gary M. DeStefano, Nike Corporation, Lake Oswego, Oregon.

PRESIDENTIAL ELIGIBILITY

Committee on the Judiciary: Committee concluded a hearing to examine proposals to define the term "natural born Citizen" as used in the Constitution of the United States to establish eligibility for the Office of the President, including related measures S. 2128 and S.J. Res.15, after receiving testimony from Senator Nickles; Representatives Conyers, Snyder, Frank, Rohrabacher, and Issa; Akhil Reed Amar, Yale University School of Law, New Haven, Connecticut; Matthew Spalding, The Heritage Foundation, Washington, D.C.; and John Yinger, Syracuse University Maxwell School of Citizenship and Public Affairs, Syracuse, New York.

BUSINESS MEETING

Committee on Rules and Administration: Committee ordered favorably reported S. Res. 445, to eliminate certain restrictions on service of a Senator on the Senate Select Committee on Intelligence.

House of Representatives

Chamber Action

Measures Introduced: 14 public bills, H.R. 5210–5223; 1 private bill, H.R. 5224; and 2 resolutions, H. Res. 820–821, were introduced. **Page 20897**

Additional Cosponsors: **Page 20898**

Reports Filed: Reports were filed today as follows:

H.R. 10, to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination amended, (H. Rept. 108–724, Pts. 4 and 5);

H.R. 5011, to prevent the sale of abusive insurance and investment products to military personnel, amended (H. Rept. 108–725);

H.R. 3858, to amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation (H. Rept. 108–726);

H.R. 918, to authorize the Health Resources and Services Administration, the National Cancer Institute, and the Indian Health Service to make grants for model programs to provide to individuals of health disparity populations prevention, early detection, treatment, and appropriate follow-up care services for cancer and chronic diseases, and to make grants regarding patient navigators to assist individuals of health disparity populations in receiving such services, amended (H. Rept. 108–727, Pt. 1);

H.R. 3015, to amend the Public Health Service Act to establish an electronic system for practitioner monitoring of the dispensing of any schedule II, III, or IV controlled substance, amended (H. Rept. 108–728);

H.R. 4302, to amend title 21, District of Columbia Official Code, to enact the provisions of the Mental Health Civil Commitment Act of 2002 which affect the

Commission on Mental Health and require action by Congress in order to take effect (H. Rept. 108–729);

H.R. 4453, to improve access to physicians in medically underserved areas, amended (H. Rept. 108–730);

H.R. 4306, to amend section 274A of the Immigration and Nationality Act to improve the process for verifying an individual's eligibility for employment, amended (H. Rept. 108–731);

S. 1194, to foster local collaborations which will ensure that resources are effectively and efficiently used within the criminal and juvenile justice systems, amended (H. Rept. 108–732);

S. 129, to provide for reform relating to Federal employment, amended (H. Rept. 108–733);

Conference report on H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005 (H. Rept. 108–734);

H. Res. 819, relating to early organization of the House of Representatives for the One Hundred Ninth Congress (H. Rept. 108–735);

H. Res. 822, waiving points of order against the conference report to accompany the bill (H.R. 4850) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005 (H. Rept. 108–736); and

H. Res. 823, providing for consideration of H.R. 5107, to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases (H. Rept. 108–737).

Pages 20877, 20896

Speaker: Read a letter from the Speaker wherein he appointed Representative Boozman to act as Speaker pro tempore for today. **Page 20771**

Recess: The House recessed at 9:02 a.m. and reconvened at 10 a.m. **Page 20771**

District of Columbia Appropriations Act, 2005—Motion to go to conference: The House disagreed to the Senate amendment to H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, and agreed to a conference. **Page 20773**

Appointed as conferees: Representative Frelinghuysen, Istook, Cunningham, Doolittle, Weldon (FL), Culberson, Young (FL), Fattah, Pastor, Cramer, and Obey.

Page 20773

Bankruptcy Judgeship Act of 2003: The House passed S. 878, to authorize an additional permanent judgeship in the District of Idaho, by voice vote. **Page 20778**

Rejected the Berman motion to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with an amendment, by a recorded vote of 190 ayes to 216 noes, Roll No. 493. **Page 20792**

Agreed to:

Sensenbrenner amendment (No. 1 printed in H. Rept. 108–723) that "staggers" implementation of the 58 new Federal circuit and district court judgeships created by the bill over seven fiscal years; and **Page 20782**

Simpson amendment (No. 2 printed in H. Rept. 108–723) that splits the current 9th Circuit Court of Appeals (by a recorded vote of 205 ayes to 194 noes, Roll No. 492). **Page 20784**

Agreed to amend the title so as to read: to create additional Federal court judgeships. **Page 20792**

H. Res. 814, the rule providing for consideration of the bill was agreed to by a recorded vote of 206 ayes to 173 noes, Roll No. 491, after agreeing to order the previous question by a yea-and-nay vote of 198 yeas to 171 nays, Roll No. 490. **Page 20773**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the spirit of Jacob Mock Doub: H. Con. Res. 480, recognizing the spirit of Jacob Mock Doub and his contribution to encouraging youth to be physically active and fit and expressing the sense of Congress that "National Take a Kid Mountain Biking Day" should be established in Jacob Mock Doub's honor; **Page 20794**

Patient Navigator, Outreach, and Chronic Disease Prevention Act of 2003: H.R. 918, amended, to authorize the Health Resources and Services Administration, the National Cancer Institute, and the Indian Health Service to make grants for model programs to provide to individuals of health disparity populations prevention, early detection, treatment, and appropriate follow-up care services for cancer and chronic diseases, and to make grants regarding patient navigators to assist individuals of health disparity populations in receiving such services; **Page 20795**

Agreed to amend the title so as to read: to amend the Public Health Service Act to authorize a demonstration grant program to provide patient navigator services to reduce barriers and improve health care outcomes. **Page 20799**

National All Schedules Prescription Electronic Reporting Act of 2003: H.R. 3015, amended, to amend the

Public Health Service Act to establish an electronic system for practitioner monitoring of the dispensing of any schedule II, III, or IV controlled substance; **Page 20799**

Agreed to amend the title so as to read: to provide for the establishment of a controlled substance monitoring program in each State. **Page 20804**

Pancreatic Islet Cell Transplantation Act of 2004: H.R. 3858, to amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation; **Page 20804**

Asthmatic Schoolchildren's Treatment and Health Management Act of 2004: H.R. 2023, amended, to give a preference regarding States that require schools to allow students to self-administer medication to treat that student's asthma or anaphylaxis; **Page 20805**

Mammography Quality Standards Reauthorization Act of 2004: H.R. 4555, amended, to amend the Public Health Service Act to revise and extend provisions relating to mammography quality standards; **Page 20810**

Safeguard Against Privacy Invasions (SPY) Act: H.R. 2929, amended, to protect users of the Internet from unknowing transmission of their personally identifiable information through spyware programs, by a ⅔ yea-and-nay vote of 399 yeas to 1 nay, Roll No. 495; **Pages 20812, 20863**

Recognizing community organization of public access defibrillation programs: H. Con. Res. 250, recognizing community organization of public access defibrillation programs; **Page 20821**

Sense of Congress regarding the role of private health insurance companies in promoting healthy lifestyles: H. Con. Res. 34, amended, expressing the sense of the Congress that private health insurance companies should take a proactive role in promoting healthy lifestyles; **Page 20822**

Orderly and Timely Interstate Placement of Foster Children Act of 2004: H.R. 4504, amended, to improve protections for children and to hold States accountable for the orderly and timely placement of children across State lines; **Page 20826**

Agreed to amend the title so as to read: to improve protections for children and to hold States accountable for the safe and timely placement of children across State lines. **Page 20832**

Sense of Congress regarding the establishment of a Columbia Memorial Space Science Learning Center: H.J. Res. 57, amended, expressing the sense of the Congress in recognition of the contributions of the seven *Columbia* astronauts by supporting establishment of a Columbia Memorial Space Science Learning Center; **Page 20832**

Military Personnel Financial Services Protection Act: H.R. 5011, amended, to prevent the sale of abusive insurance and investment products to military personnel, by a ⅔ yea-and-nay vote of 396 yeas to 2 nays, Roll No. 496; **Pages 20836, 20864**

Confirming the authority of the Secretary of Agriculture and the Commodity Credit Corporation: H.R. 4620, amended, to confirm the authority of the Secretary of Agriculture and the Commodity Credit Corporation to enter into memorandums of understanding with a State regarding the collection of approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans; **Page 20842**

Agreed to amend the title so as to read: to confirm the authority of the Secretary of Agriculture to collect approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans. **Page 20843**

Providing for the development of a national plan for the control and management of Sudden Oak Death: H.R. 4569, to provide for the development of a national plan for the control and management of Sudden Oak Death, a tree disease caused by the fungus-like pathogen Phytophthora ramorum; **Page 20843**

Pennsylvania National Forest Improvement Act of 2003: H.R. 3514, amended, to authorize the Secretary of Agriculture to convey certain lands and improvements associated with the National Forest System in the State of Pennsylvania; **Page 20845**

Honoring the service of Native American Indians in the U.S. Armed Forces: H. Con. Res. 306, amended, honoring the service of Native American Indians in the United States Armed Forces; **Page 20847**

Agreed to amend the title so as to read: honoring the service of American Indians in the United States Armed Forces. **Page 20850**

Amending the Agricultural Adjustment Act: H.R. 2984, to amend the Agricultural Adjustment Act to remove the requirement that processors be members of an agency administering a marketing order applicable to pears; **Page 20864**

Expressing the support of the House for the efforts of organizations to provide emergency food assistance to people in the U.S.: H. Res. 261, expressing the support of the House of Representatives for the efforts of organizations such as Second Harvest to provide emergency food assistance to hungry people in the United States, and encouraging all Americans to provide volunteer services and other support for local antihunger advocacy efforts and hunger relief charities, including food banks, food rescue organizations, food pantries, soup kitchens, and emergency shelters; **Page 20866**

Recognizing the establishment of Hunters for the Hungry programs: H. Res. 481, recognizing the estab-

lishment of Hunters for the Hungry programs across the United States and the contributions of those programs to efforts to decrease hunger and help feed those in need;
Page 20869

Amending the Department of Agriculture Organic Act of 1944: H.R. 5042, to amend the Department of Agriculture Organic Act of 1944 to ensure that the dependents of employees of the Forest Service stationed in Puerto Rico receive a high-quality elementary and secondary education; Page 20871

Authorizing the Secretary of Agriculture to sell or exchange certain land in the Ozark-St. Francis and Ouachita National Forests: S. 33, to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Ozark-St. Francis and Ouachita National Forests and to use funds derived from the sale or exchange to acquire, construct, or improve administrative sites; and Page 20872

Providing for the use by the State of North Carolina of the Oxford Research Station in Granville County, North Carolina: H.R. 2119, amended, to provide for the use by the State of North Carolina of Federal lands, improvements, equipment, and resource materials at the Oxford Research Station in Granville County, North Carolina. Page 20873

Agreed to amend the title so as to read: to provide for the conveyance of Federal lands, improvements, equipment, and resource materials at the Oxford Research Station in Granville County, North Carolina, to the State of North Carolina. Page 20874

Suspension Failed: The House failed to agree to suspend the rules and pass the following bill:

Requiring that all young persons in the U.S. perform a period of military service or civilian service: H.R. 163, to provide for the common defense by requiring that all young persons in the United States, including women, perform a period of military service or a period of civilian service in furtherance of the national defense and homeland security, by a 2/3 yea-and-nay vote of 2 yeas to 402 nays, Roll No. 494. Page 20850

Discharge Petitions: Representative Edwards moved to discharge the Committee on Rules from the consideration of H. Res. 788, providing for the consideration of H.R. 4423, making appropriations for the Department of Veterans Affairs for the fiscal year ending September 30, 2004 (Discharge Petition No. 14).

Representative Bishop of New York moved to discharge the Committee on Rules from the consideration of H. Res. 790, providing for consideration of H.R. 4473, making appropriations for the Department of Education for the fiscal year ending September 30, 2005 (Discharge Petition No. 15).

Senate Message: Message received from the Senate today appears on page 20778.

Quorum Calls—Votes: Four yea-and-nay votes and three recorded votes developed during the proceedings of today and appear on pages 20776–77, 20791, 20793; and 20862–64.

Amendments: Amendments ordered printed pursuant to the rule appear on page 20899.

Adjournment: The House met at 9 a.m. and adjourned at 7:50 a.m. on Thursday, October 6.

Committee Meetings

FLU VACCINE

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Influenza Vaccine. Testimony was heard from the following officials of the Department of Health and Human Services: Julie L. Gerberding, M.D., Director, Centers for Disease Control and Prevention; William Egan, M.D., Acting Director, Office of Vaccines Research and Review, Center for Biologics Evaluation and Research, FDA; and Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH; and public witnesses.

U.N. OIL FOR FOOD PROGRAM

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "The U.N. Oil for Food Program: Cash Cow Meets Paper Tiger." Testimony was heard from Ambassador Patrick F. Kennedy, U.S. Representative to the United Nations, U.N. Management and Reform, Department of State; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Subcommittee on Europe approved for full Committee action the following measures: H. Res. 726, amended, Congratulating the people of Serbia and government of Serbia for conducting a democratic, free and fair presidential election and for reaffirming Serbia's commitment to peace, democracy and the rule of law; H. Res. 733, Calling on the Government of Libya to review the legal actions taken against several Bulgarian medical workers; H. Res. 341, amended, Urging the President of the European Union to add Hezbollah to the European Union's wide-ranging list of terrorist organizations; and H. Res. 483, amended, Pledging continued United States support for the sovereignty, independence, territorial integrity, and democratic and economic reforms of the Republic of Georgia.

OVERSIGHT—PEER-TO-PEER PIRACY ON UNIVERSITY CAMPUSES: AN UPDATE

Committee on the Judiciary, Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on Peer-to-Peer Piracy (P2P) on University Campuses: An Update. Testimony was heard from public witnesses.

THE JUSTICE FOR ALL ACT OF 2004

Committee on Rules: Granted, by voice vote, a modified closed rule providing 1 hour of debate in the House on H.R. 5107, The Justice for All Act of 2004, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides for consideration of the amendment printed in the Rules Committee report accompanying the resolution, if offered by Representative Sensenbrenner of Wisconsin or his designee, which shall be considered as read, shall not be subject to a demand for division of the question, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Chabot and Delahunt. Supplement Appropriations for FY 2005.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2004

Committee on Rules: Granted, by voice vote, a modified closed rule providing 1 hour of debate in the House on H.R. 5212, Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule provides for consideration of the amendment printed in the Rules Committee report accompanying the resolution if offered by Representative Hensarling of Texas, or his designee, which shall be considered as read, shall not be subject to a demand for division of the question, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Boyd, Stenholm, Pomeroy and Doyle.

CONFERENCE REPORT—DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 2005

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 4850, Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, and against its consideration. The rule provides that the conference report shall be considered as read.

9/11 RECOMMENDATIONS IMPLEMENTATION ACT

Committee on Rules: Heard testimony from Chairmen Hoekstra, Hunter, Hyde, Cox and Goodlatte and Representatives Gingrey, Bartlett, Capito, Shays, Platts, Smith of Texas, Flake, Rogers of Michigan, Tancredo, Mica, Porter, Foley, Bonilla, Kirk, Weldon of Florida, Harman, Cooper, Maloney, Jackson-Lee of Texas, Markey, Menendez, Ackerman, Turner of Texas, Obey and Sabo, but action was deferred on H.R. 10, 9/11 Recommendations Implementation Act.

Joint Meetings

APPROPRIATIONS: DISTRICT OF COLUMBIA

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005.

AMERICAN JOBS CREATION ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad, but did not complete action thereon, and will continue on Wednesday, October 6, 2004.

♦♦♦♦♦♦♦♦♦♦♦♦

Wednesday, October 6, 2004

Senate

Chamber Action

Routine Proceedings, pages 20901–21048

Measures Introduced: Eleven bills and four resolutions were introduced, as follows: S. 2899–2909, S. Res. 448–450, and S. Con. Res. 141. **Page 21001**

Measures Passed:

Trademarks: Committee on the Judiciary was discharged from further consideration of S. 2796, to clarify that service marks, collective marks, and certification marks are entitled to the same protections, rights, and privileges of trademarks, and the bill was then passed. **Page 20921**

Copyright Royalty and Distribution Reform Act: Senate passed H.R. 1417, to amend title 17, United

States Code, to replace copyright arbitration royalty panels with Copyright Royalty Judges, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 20921**

Collins (for Hatch/Leahy) Amendment No. 3975, in the nature of a substitute. **Page 20937**

Public Works and Economic Development Act Reauthorization: Senate passed S. 1134, to reauthorize and improve the program authorized by the Public Works and Economic Development Act of 1965, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 20937**

Collins (for Inhofe) Amendment No. 3976, in the nature of a substitute. **Page 20946**

National Intelligence Reform Act: By 96 yeas to 2 nays (Vote No. 199), Senate passed S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, after taking action on the following amendments proposed thereto: **Pages 20908, 20946**

Adopted:

Stevens Modified Amendment No. 3840, to modify the discharge of the milestone decision authority with respect to the acquisition of major systems for intelligence programs of the Department of Defense. **Page 20908**

Stevens Modified Amendment No. 3830, to modify certain provisions relating to the Central Intelligence Agency. **Page 20908**

Stevens Modified Amendment No. 3882, to improve the provisions relating to the Inspector General of the National Intelligence Authority. **Page 20908**

By a unanimous vote of 98 yeas (Vote No. 198), Roberts Modified Amendment No. 3742, to clarify the continuing applicability of section 504 of the National Security Act of 1947 to the obligation and expenditure of funds appropriated for the intelligence and intelligence-related activities of the United States. **Pages 20908, 20917**

Leahy/Grassley Amendment No. 3945, to require Congressional oversight of translators employed and contracted for by the Federal Bureau of Investigation. **Pages 20908, 20919**

Reid (for Harkin) Modified Amendment No. 3821, to modify the functions of the Privacy and Civil Liberties Oversight Board. **Pages 20908, 20919**

Collins/Lieberman Amendment No. 3962 (to Amendment No. 3809), to improve the amendment. **Page 20920**

Levin Modified Amendment No. 3809, to exempt military personnel from certain personnel transfer authorities. **Pages 20908, 20920**

Warner Modified Amendment No. 3875, relating to the components of the National Intelligence Program. **Pages 20909, 20950**

Stevens/Inouye Modified Amendment No. 3827, to strike section 206, relating to information sharing. **Pages 20908, 20951**

Reid (for Leahy) Modified Amendment No. 3915, to establish criteria for placing individuals on the consolidated screening watch list of the Terrorist Screening Center. **Pages 20909, 20954**

Reid (for Leahy) Modified Amendment No. 3916, to strengthen civil liberties protections. **Pages 20909, 20955**

Collins (for Frist) Further Modified Amendment No. 3895, to establish the National Counterproliferation Center within the National Intelligence Authority. **Pages 20909, 20971**

Collins (for Frist) Amendment No. 3896, to include certain additional Members of Congress among the congressional intelligence committees. **Pages 20909, 20974**

Collins/Lieberman Amendment No. 3977, to improve the bill. **Page 20975**

Collins (for Ensign) Amendment No. 3978, to authorize the Secretary of State to increase the number of consular officers, clarify the responsibilities and functions of consular officers, and require the Secretary of Homeland Security to increase the number of border patrol agents and customs enforcement investigators. **Page 20975**

Collins (for Kyl) Amendment No. 3979, to amend the Immigration and Nationality Act to ensure that nonimmigrant visas are not issued to individuals with connections to terrorism or who intend to carry out terrorist activities in the United States. **Page 20975**

Lieberman (for Schumer) Amendment No. 3980, to require the establishment of pilot projects relating to the coordination of information among emergency first responders. **Page 20975**

Lieberman (for Conrad) Modified Amendment No. 3837, to require the Secretary of Homeland Security to carry out an advanced technology northern border security pilot program. **Page 20975**

Collins (for Domenici) Modified Amendment No. 3861, to direct the Secretary of Homeland Security to develop and implement a plan for continuous surveillance of the Southwest border of the United States by remotely piloted aircraft. **Page 20975**

Lieberman (for Sarbanes) Amendment No. 3760, to provide that the Privacy and Civil Liberties Oversight Board include in certain reports, any proposal that the Board advised against, but actions were taken to implement. **Page 20975**

Collins (for Roberts/DeWine) Modified Amendment No. 3924, to require the Federal Bureau of Investigation to maintain and update an enterprise architecture. **Page 20975**

Lieberman (for Wyden) Modified Amendment No. 3733, to provide a report on the use of data to Congress. **Page 20975**

Collins (for Warner) Modified Amendment No. 3880, to provide that the personnel policies and programs established by the National Intelligence Director shall be consistent with the personnel policies and standards applicable to members of the uniformed services. **Page 20975**

Withdrawn:

Kyl Amendment No. 3801, to modify the privacy and civil liberties oversight. **Pages 20908, 20913**

Levin Amendment No. 3810, to clarify the definition of National Intelligence Program. **Pages 20908, 20951**

Stevens Amendment No. 3839, to strike section 201, relating to public disclosure of intelligence funding. **Pages 20908, 20953**

Reid (for Leahy) Amendment No. 3913, to address enforcement of certain subpoenas. **Pages 20909, 20955**

Warner Amendment No. 3876, to preserve certain authorities and accountability in the implementation of intelligence reform. **Pages 20908, 20974**

A unanimous-consent agreement was reached providing that it be in order for the following previously agreed upon amendments to be consolidated into one title under the heading: "9/11 Commission Report Implementation Act": Amendment Numbers: 3942, 3807, 3702, 3774, 3705, 3766, and 3806. **Page 20956**

During consideration of this measure today, Senate also took the following action:

McCain/Lieberman Modified Amendment No. 3807, to develop a strategy for combining terrorist travel intelligence, operations, and law enforcement, previously agreed to on Friday, October 1, 2004, was modified by unanimous-consent. **Page 20975**

Anabolic Steroid Control Act: Senate passed S. 2195, to amend the Controlled Substances Act to clarify the definition of anabolic steroids and to provide for research and education activities relating to steroids and steroid precursors, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 21041**

Frist (for Hatch/Biden) Amendment No. 3982, to make a technical amendment. **Page 21043**

Authorizing Legal Representation: Senate agreed to S. Res. 450, to authorize testimony and representation in United States v. Daniel Bayly, et al. **Page 21045**

Family Farmer Bankruptcy Relief Act: Committee on the Judiciary was discharged from further consideration of S. 2864, to extend for eighteen months the period for which chapter 12 of title 11, United States Code, is reenacted, and the bill was then passed. **Page 21045**

National Earthquake Hazards Reduction Program: Senate passed H.R. 2608, to reauthorize the National Earthquake Hazards Reduction Program, after agreeing to the following amendment proposed thereto: **Page 21046**

McConnell (for McCain/Nelson) Amendment No. 3983, in the nature of a substitute. **Page 21047**

Belarus Democracy Act: Senate passed H.R. 854, to provide for the promotion of democracy, human rights, and rule of law in the Republic of Belarus and for the consolidation and strengthening of Belarus sovereignty and independence, clearing the measure for the President. **Page 21047**

Intelligence Committee Reorganization: Senate began consideration of S. Res. 445, to eliminate certain restrictions on service of a Senator on the Senate Select Committee on Intelligence, taking action on the following amendment proposed thereto: **Page 20978**

Pending:

McConnell/Reid/Frist/Daschle Amendment No. 3981, in the nature of a substitute. **Page 20978**

A motion was entered to close further debate on McConnell/Reid/Frist/Daschle Amendment No. 3981, in the nature of a substitute and, in accordance with provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Friday, October 8, 2004. **Page 20985**

A motion was entered to close further debate on S. Res. 445 and, in accordance with provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Friday, October 8, 2004. **Page 20986**

A unanimous-consent agreement was reached providing for further consideration of the resolution at approximately 10 a.m., on Thursday, October 7, 2004. **Page 21048**

District of Columbia Appropriations—Conference Report: Senate agreed to the conference report to accompany H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2005, clearing the measure for the President. **Page 21043**

Appointments:

NATO Parliamentary Assembly: The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appointed the following Senators as members of the Senate Delegation to the NATO Parliamentary Assembly during the Second Session of the 108th Congress: Senators Grassley, DeWine, Enzi, and Voinovich. **Page 21041**

Nominations Confirmed: Committee on Foreign Relations was discharged from further consideration of the following nominations which were then confirmed:

Christopher J. LaFleur, of New York, to be Ambassador to Malaysia.

B. Lynn Pascoe, of Virginia, to be Ambassador to the Republic of Indonesia.

Ryan C. Crocker, of Washington, to be Ambassador to the Islamic Republic of Pakistan.

Marcie B. Ries, of the District of Columbia, to be Ambassador to the Republic of Albania.

A routine list in the Department of State.

Pages 20999, 21040, 21048

Nominations Received: Senate received the following nomination:

1 Air Force nomination in the rank of general.

Page 21048

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

1 Air Force nomination in the rank of general.

Page 21048

Nominations Discharged: Committee on Foreign Relations was discharged from further consideration of the following nominations which were then placed on the Executive Calendar:

Lloyd O. Pierson, of Virginia, to be an Assistant Administrator of the United States Agency for International Development, which was sent to the Senate on July 21, 2004, from the Senate Committee on Foreign Relations.

Lloyd O. Pierson, an Assistant Administrator of the United States Agency for International Development, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2009, which was sent to the Senate on July 21, 2004, from the Senate Committee on Foreign Relations.

Hector E. Morales, of Texas, to be United States Executive Director of the Inter-American Development Bank for a term of three years, which was sent to the Senate on July 22, 2004, from the Senate Committee on Foreign Relations.

Douglas Menarchik, of Texas, to be an Assistant Administrator of the United States Agency for International Development, which was sent to the Senate on September 8, 2004, from the Senate Committee on Foreign Relations.

Catherine Todd Bailey, of Kentucky, to be Ambassador to the Republic of Latvia, which was sent to the Senate on September 8, 2004, from the Senate Committee on Foreign Relations. Pages 20999, 21048

Messages From the House: Page 20999

Measures Referred: Page 20999

Executive Reports of Committees: Page 20999

Additional Cosponsors: Page 21001

Statements on Introduced Bills/Resolutions: Page 21003

Additional Statements: Page 20997

Amendments Submitted: Page 21020

Authority for Committees to Meet: Page 21040

Record Votes: Two record votes were taken today. (Total—199) Pages 20918, 20978

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:01 p.m., until 9:30 a.m., on Thursday, October 7, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 21048.)

Committee Meetings

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Francis J. Harvey, of California, to be Secretary of the Army, Richard Greco, Jr., of New York, to be an Assistant Secretary of the Navy for Financial Management, who was introduced by Senator Brownback, and General Gregory S. Martin, USAF, for reappointment to the grade of general and to be Commander, United States Pacific Command, after the nominees testified and answered questions in their own behalf.

WMDs

Committee on Armed Services: Committee concluded a hearing to examine the report of the Special Advisor to the Director of Central Intelligence for Strategy Regarding Iraqi Weapons of Mass Destruction Programs, after receiving testimony from Charles A. Duelfer, Special Advisor to the Director of Central Intelligence for Strategy Regarding Iraqi Weapons of Mass Destruction Programs; and Brigadier General Joseph J. McMenamin, USMC, Commander of the Iraq Survey Group.

NATURAL GAS

Committee on Commerce, Science, and Transportation: Subcommittee on Competition, Foreign Commerce, and Infrastructure concluded a hearing to examine issues relating to natural gas, focusing on the domestic supply and cost for the approaching peak winter months, after receiving testimony from Guy F. Caruso, Administrator, Energy Information Administration, Department of Energy; Paul Wilkinson, American Gas Association, and Wenonah Hauter, Public Citizen Energy Program, both of Washington, DC; and Gary D. Huss, Hudapack Metal Treating, Inc., Elkhorn, Wisconsin, on behalf of the National Association of Manufacturers.

CURRENT VISA POLICY

Committee on Foreign Relations: Committee concluded a hearing to examine the impact of current visa policy on international students and researchers, after receiving testimony from Martin C. Jischke, Purdue University, West Lafayette, Indiana; Adam W. Herbert, Indiana University, Bloomington; C.D. Mote, Jr., University of Maryland, College Park; Catheryn Cotten, Duke University International Office, Durham, North Carolina; Allan E. Goodman, Institute of International Education, New York, New York; and Marlene M. Johnson, NAFSA: Association of International Educators, and Theodore H. Kattouf, AMIDEAST, both of Washington, DC.

EAST ASIA HEALTH PROGRAMS

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine neglected diseases in East Asia regarding public health

programs, focusing on malaria, the Global Fund to Fight AIDS, Tuberculosis, and Malaria, and the World Health Organization, after receiving testimony from Anne Peterson, Assistant Administrator for Global Health, U.S. Agency for International Development; Donald R. Roberts, Professor, Division of Tropical Public Health, Department of Preventive Medicine and Biometrics, Uniformed Services University of the Health Sciences; and Robert Desowitz, University of North Carolina School of Public Health, Chapel Hill.

BUSINESS MEETING

Committee on Indian Affairs: Committee approved the issuance of additional subpoenas pursuant to the In re Tribal Lobbying Matters, et al. investigation.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the nominations of Robert Allen Pittman, of Florida, to be an Assistant Secretary of Veterans Affairs (Human Resources and Administration), and Robert N. Davis, of Florida, Mary J. Schoelen, of the District of Columbia, and William A. Moorman, of Virginia, each to be a Judge of the United States Court of Appeals for Veterans' Claims.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 16 public bills, H.R. 5225–5240; 1 private bill, H.R. 5241; and 4 resolutions, H. Con. Res. 510, and H. Res. 824–826, were introduced.

Page 21293

Additional Cosponsors: Page 21294

Reports Filed: Reports were filed today as follows:

H.R. 4667, to authorize and facilitate hydroelectric power licensing of the Tapoco Project (H. Rept. 108–721, Pt. 2);

H.R. 4887, to adjust the boundary of the Cumberland Island Wilderness, to authorize tours of the Cumberland Island National Seashore, amended (H. Rept. 108–738);

H.R. 4984, to provide that the royalty rate on the output from Federal lands of potassium and potassium compounds from the mineral sylvite in the 5-year period beginning on the date of the enactment of this Act shall be reduced to 1.0 percent (H. Rept. 108–739);

S. 434, to authorize the Secretary of Agriculture to sell or exchange all or part of certain parcels of National Forest System land in the State of Idaho and use the proceeds derived from the sale or exchange for National Forest System purposes (H. Rept. 108–740);

H.R. 4285, to provide for the conveyance of certain public land in Clark County, Nevada, for use as a heliport (H. Rept. 108–741);

H.R. 4282, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity (H. Rept. 108–742);

H.R. 3258, to authorize the Secretary of the Interior, in cooperation with the University of New Mexico, to construct and occupy a portion of the Hibben Center for Archaeological Research at the University of New Mexico, amended (H. Rept. 108–743);

H.R. 3207, to direct the Secretary of the Interior to conduct a study on the preservation and interpretation of the historic sites of the Manhattan Project for potential inclusion in the National Park System, amended (H. Rept. 108–744);

H. Res. 556, congratulating the United States Geological Survey on its 125th Anniversary (H. Rept. 108–745);

H.R. 5082, to authorize the Secretary of Transportation to award grants to public transportation agencies and over-the-road bus operators to improve security, amended (H. Rept. 108–746);

H.R. 775, to amend the Immigration and Nationality Act to eliminate the diversity immigrant program (H. Rept. 108–747);

H.R. 3755, to authorize the Secretary of Housing and Urban Development to insure zero-downpayment mortgages for one-unit residences, amended (H. Rept. 108–748);

H.R. 5163, to amend title 49, United States Code, to provide the Department of Transportation a more focused research organization with an emphasis on innovative technology (H. Rept. 108–749, Pt. 1);

H.R. 3242, to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the competitiveness of United States-grown specialty crops, amended (H. Rept. 108–750, Pt. 1);

H. Res. 827, providing for consideration H.R. 10, to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination (H. Rept. 108–751);

H. Res. 828, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–752); and

H. Res. 829, providing for consideration of motions to suspend the rules (H. Rept. 108–753). Page 21292

Speaker: Read a letter from the Speaker wherein he appointed Representative Isakson to act as Speaker Pro Tempore for today. Page 21049

Chaplain: The prayer was offered today by the Rev. John J. Ryan, Pastor, St. Brendan Roman Catholic Church in Ormond Beach, Florida. Page 21049

Justice for All Act of 2004: The House passed H.R. 5107, to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, by a yea-and-nay vote of 393 yeas to 14 nays, Roll No. 497. Pages 21057, 21087

Agreed to the Sensenbrenner amendment (printed in H. Rept. 108–737) that changes provisions to allow a victim a right to bring a motion to enforce the right to be heard in plea, sentence, and parole proceedings. Page 21074

H. Res. 823, the rule providing for consideration of the rule was agreed to by voice vote. Page 21053

District of Columbia Appropriations Act, 2005—Conference Report: The House agreed to the conference report to accompany H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, by a yea-and-nay vote of 377 yeas to 36 nays, Roll No. 498. Pages 21083, 21088

H. Res. 822, the rule providing for consideration of the conference report was agreed to by voice vote. Page 21055

Suspensions: The House agreed to suspend the rules and pass the following measures:

Satellite Home Viewer Extension and Reauthorization Act of 2004: H.R. 4518, amended, to extend the statutory license for secondary transmissions under section 119 of title 17, United States Code; Page 21089

Agreed to amend the title so as to read: to extend the statutory license for secondary transmissions by satellite carriers of transmissions by television broadcast stations under title 17, United States Code, and to amend the Communications Act of 1934 with respect to such transmissions. Page 21103

Water Supply, Reliability, and Environmental Improvement Act: Agree to the Senate amendment to H.R. 2828, to authorize the Secretary of the Interior to implement water supply technology and infrastructure programs aimed at increasing and diversifying domestic water resources—clearing the measure for the President; Page 21103

Amending the Immigration and Nationality Act with regard to employment eligibility: H.R. 4306, amended, to amend section 274A of the Immigration and Nationality Act to improve the process for verifying an individual's eligibility for employment; Page 21115

Access to Rural Physicians Improvement Act of 2004: H.R. 4453, amended, to improve access to physicians in medically underserved areas; Page 21117

Mentally Ill Offender Treatment and Crime Reduction Act of 2003: S. 1194, amended, to foster local collaborations which will ensure that resources are effectively and efficiently used within the criminal and juvenile justice systems; Page 21120

Extending certain authority of the Supreme Court Police: S. 2742, to extend certain authority of the Supreme Court Police, modify the venue of prosecutions relating to the Supreme Court building and grounds, and authorize the acceptance of gifts to the United States Supreme Court—clearing the measure for the President; Page 21126

Honoring the victims of the Sixteenth Street Baptist Church bombing on the occasion of its 40th anniversary: H. Res. 389, honoring the young victims of the Sixteenth Street Baptist Church bombing, recognizing the historical significance of the tragic event, and commending the efforts of law enforcement personnel to bring the perpetrators of this crime to justice on the occasion of its 40th anniversary; Page 21127

Honoring the goals and ideals of National Nurse Practitioners Week: H. Con. Res. 500, honoring the goals and ideals of National Nurse Practitioners Week; Page 21133

Amending the Public Health Service Act relating to children's hospitals: H.R. 5204, to amend section 340E of the Public Health Service Act (relating to children's hospitals) to modify provisions regarding the determination of the amount of payments for indirect expenses associated with operating approved graduate medical residency training programs; Page 21134

District of Columbia Civil Commitment Modernization Act of 2004: H.R. 4302, amended, to amend title 21, District of Columbia Official Code, to enact the provisions of the Mental Health Civil Commitment Act of 2002 which affect the Commission on Mental Health and require action by Congress in order to take effect; Page 21137

Federal Workforce Flexibility Act of 2003: S. 129, amended, to provide for reform relating to Federal employment; Page 21140

Congratulating Andrew Wojtanik for winning the 16th Annual National Geographic Bee: H. Res. 815, congratulating Andrew Wojtanik for winning the 16th Annual National Geographic Bee, conducted by the National Geographic Society; **Page 21145**

Honoring the communities that received the 2004 All-America City Award: H. Con. Res. 464, honoring the 10 communities selected to receive the 2004 All-America City Award; **Page 21146**

Leonard C. Burch Post Office Building Designation Act: H.R. 5051, to designate the facility of the United States Postal Service located at 1001 Williams Street in Ignacio, Colorado, as the "Leonard C. Burch Post Office Building"; **Page 21149**

Adam G. Kinser Post Office Building Designation Act: H.R. 4807, to designate the facility of the United States Postal Service located at 140 Sacramento Street in Rio Vista, California, as the "Adam G. Kinser Post Office Building"; **Page 21150**

Robert J. Opinsky Post Office Building Designation Act: S. 2415, to designate the facility of the United States Postal Service located at 4141 Postmark Drive, Anchorage, Alaska, as the "Robert J. Opinsky Post Office Building"—clearing the measure for the President; **Page 21151**

Lieutenant General James V. Edmundson Post Office Building Designation Act: H.R. 4847, to designate the facility of the United States Postal Service located at 560 Bay Isles Road in Longboat Key, Florida, as the "Lieutenant General James V. Edmundson Post Office Building"; **Page 21152**

Bill Monroe Post Office Designation Act: H.R. 4968, to designate the facility of the United States Postal Service located at 25 McHenry Street in Rosine, Kentucky, as the "Bill Monroe Post Office"; **Page 21152**

Lieutenant John F. Finn Post Office Designation Act: H.R. 5053, to designate the facility of the United States Postal Service located at 1475 Western Avenue, Suite 45, in Albany, New York, as the "Lieutenant John F. Finn Post Office"; **Page 21153**

Congressman Jack Fields Post Office Redesignation Act: H.R. 4232, to redesignate the facility of the United States Postal Service located at 4025 Feather Lakes Way in Kingwood, Texas, as the "Congressman Jack Fields Post Office"; **Page 21155**

Irma Rangel Post Office Building Designation Act: H.R. 4829, to designate the facility of the United States Postal Service located at 103 East Kleberg in Kingsville, Texas, as the "Irma Rangel Post Office Building"; **Page 21157**

Special Olympics Sport and Empowerment Act of 2004: H.R. 5131, to provide assistance to Special Olympics to support expansion of Special Olympics and development of education programs and a Healthy Athletes Program; **Page 21193**

Honoring former President Jimmy Carter on his 80th birthday: H. Res. 798, amended, honoring former President James Earl (Jimmy) Carter on the occasion of his 80th birthday; **Page 21196**

Temporarily extending the programs under the Higher Education Act of 1965: H.R. 5185, amended, to temporarily extend the programs under the Higher Education Act of 1965; **Page 21199**

Supporting efforts to assist youths in high-risk situations: H. Res. 805, supporting efforts to promote greater public awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for youth in high-risk situations; **Page 21208**

Sense of Congress that student travel is a vital component of the educational process: H. Con. Res. 131, amended, expressing the sense of the Congress that student travel is a vital component of the educational process; **Page 21210**

Supporting the goals and ideals of "Lights On Afterschool" programs: H. Res. 809, amended, supporting the goals and ideals of "Lights On Afterschool", a national celebration of after-school programs; **Page 21211**

Recognizing and supporting efforts to promote greater civic awareness in the U.S.: H. Res. 796, recognizing and supporting all efforts to promote greater civic awareness among the people of the United States; **Page 21213**

Amending the Federal Water Pollution Control Act with regard to the Lake Pontchartrain Basin Restoration Program: H.R. 4470, amended, to amend the Federal Water Pollution Control Act to extend the authorization of appropriations for the Lake Pontchartrain Basin Restoration Program from fiscal year 2005 to 2010; **Page 21220**

Amending the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000: H.R. 4794, amended, to amend the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000 to extend the authorization of appropriations; **Page 21221**

Norman Y. Mineta Research and Special Programs Reorganization Act: H.R. 5163, amended, to amend title 49, United States Code, to provide the Department of Transportation a more focused research organization with an emphasis on innovative technology; **Page 21223**

Amending the Lease Lot Conveyance Act of 2002: S. 1791, to amend the Lease Lot Conveyance Act of 2002 to provide that the amounts received by the United States under that Act shall be deposited in the reclamation fund—clearing the measure for the President; **Page 21232**

Chimayo Water Supply System and Espanola Filtration Facility Act of 2004: S. 2511, to direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico—clearing the measure for the President; **Page 21233**

National Park System Laws Technical Amendments Act of 2004: S. 2178, to make technical corrections to laws relating to certain units of the National Park System and to National Park programs—clearing the measure for the President; **Page 21234**

Northern Rio Grande National Heritage Area Act: S. 211, amended, to establish the Northern Rio Grande National Heritage Area in the State of New Mexico; **Page 21235**

American Indian Probate Reform Act of 2004: S. 1721, to amend the Indian Land Consolidation Act to improve provisions relating to probate of trust and restricted land; **Page 21249**

Congratulating Mojave Aerospace Ventures for Winning the Ansari X Prize: H. Res. 820, amended, to congratulate Mojave Aerospace Ventures for winning the privately funded $10,000,000 Ansari X Prize and commend the X Prize Foundation for spurring this achievement; **Page 21260**

Specialty Crops Competitiveness Act of 2003: H.R. 3242, amended, to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the competitiveness of United States-grown specialty crops; and **Page 21261**

Homeless Veterans Assistance Reauthorization Act of 2004: H.R. 4248, amended, to amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to make grants to expand or modify existing comprehensive service programs for homeless veterans. **Page 21266**

Agreed to amend the title so as to read: to amend title 38, United States Code, to increase the authorization of appropriations for the Secretary of Veterans Affairs to make grants to existing comprehensive service programs for homeless veterans. **Page 21268**

Servicemembers Legal Protection Act of 2004: H.R. 4658, amended, to amend the Servicemembers Civil Relief Act to make certain improvements and technical corrections to that Act; **Page 21268**

Agreed to amend the title so as to read: to amend the Servicemembers Civil Relief Act to make certain improvements and technical corrections to that Act, otherwise to improve legal protections provided to reserve component members called to active duty. **Page 21274**

Congratulating and commending the Veterans of Foreign Wars: H.J. Res. 108, congratulating and commending the Veterans of Foreign Wars; **Page 21274**

Sense of Congress that a minute of silence should be observed annually on Veterans Day, November 11: H. Con. Res. 195, expressing the sense of Congress that a minute of silence should be observed annually at 11 a.m. on Veterans Day, November 11, in honor of the veterans of all United States wars and to memorialize those members of the Armed Forces who gave their lives in the defense of the United States; **Page 21276**

Celebrating the 50th anniversary of the opening of the Falcon International Dam: H. Res. 818, celebrating the 50th anniversary of the opening of the Falcon International Dam, recognizing the dam's importance as a source of water and power and as a symbol of friendship and cooperation between the United States and the United Mexican States, and urging Mexico to honor all of its obligations under the 1944 Treaty Relating to the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande; **Page 21282**

Condemning the abduction of Dylan Benwell from the U.S.: H. Res. 821, condemning the abduction of Dylan Benwell from the United States and calling for his return; and **Page 21284**

Calling on the U.N. Security Council to take appropriate action in Burma: H. Res. 768, calling on the United Nations Security Council to immediately consider and take appropriate action to respond to the growing threat that the ruling State Peace and Development Council in Burma poses to the Southeast Asia region and to the people of Burma. **Page 21286**

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Consideration on the measures will continue tomorrow, October 7.

Internet Spyware (I–SPY) Prevention Act of 2004: H.R. 4661, amended, to amend title 18, United States Code, to discourage spyware; **Page 21130**

Research Review Act of 2004: H.R. 5213, amended, to expand research information regarding multidisciplinary research projects and epidemiological studies; **Page 21136**

Providing additional teacher loan forgiveness on Federal student loans: H.R. 5186, amended, to reduce certain special allowance payments and provide additional teacher loan forgiveness on Federal student loans; and **Page 21201**

Reauthorizing and improving programs under the Public Works and Economic Development Act of 1965: S. 1134, to reauthorize and improve the programs authorized by the Public Works and Economic Development act of 1965; and **Page 21226**

Comprehensive Peace in Sudan Act: H.R. 5061, amended, to provide assistance for the current crisis in the Darfur region of Sudan and to facilitate a comprehensive peace in Sudan. **Page 21277**

Continue Consideration of Suspensions: Agreed that the Speaker be authorized to entertain motions to suspend the rules for the remainder of this legislative day; **Page 21208**

Further Supplemental Appropriations for Disaster Relief: The House passed H.R. 5212, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, by yea-and-nay vote of 412 yeas with none voting "nay", Roll No. 501. **Page 21168**

Agreed to the Neugebauer amendment (No. 2 printed in the Congressional Record of October 6) that changes section 101 of the bill relating to Agriculture Disaster Assistance. **Page 21185**

Rejected the Hensarling amendment (printed in H. Rept. 108–735) that sought to fully offset the cost of the supplemental with a proportional reduction of FY05 discretionary funds once enacted (by a recorded vote of 89 ayes to 321 noes, Roll No. 500). **Page 21189**

H. Res. 819, the rule providing for consideration of the bill was agreed to by voice vote. **Page 21159**

Agreed to the Putnam amendment in the nature of a substitute to the rule by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 216 yeas to 186 nays, Roll No. 499. **Page 21166**

Additional Co-Sponsors: Agreed that the Union Calendar print of H.R. 10, to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, reflect additional co-sponsors submitted by the Speaker. **Page 21149**

Early Organization of 109th Congress: The House agreed to H. Res. 824, relating to early organization of the House of Representatives for the One Hundred Ninth Congress. **Page 21212**

Amending the Congressional Accountability Act of 1995: The House agreed to the Senate amendment to H.R. 5122, to amend the Congressional Accountability Act of 1995 to permit members of the Board of Directors of the Office of Compliance to serve for 2 terms—clearing the measure for the President. **Page 21213**

Discharge Petition: Representative Miller of North Carolina moved to discharge the Committee on Rules from the consideration of H. Res. 800, providing for the consideration of H.R. 2802, to reauthorize the Small Business Act and the Small Business Investment Act of 1958 (Discharge Petition No. 16).

Senate Message: Messages received from the Senate today appear on pages 21049, 21133, 21193, and 21288.

Senate Referrals: S. 2484, S. 2896, S. 1134, S. 2195, and S. 2895 were held at the desk; S. 2796 and S. 2864 were referred to the Committee on the Judiciary. **Page 21289**

Quorum Calls—Votes: Four yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages 21087–89, 21168, and 21191–92. There were no quorum calls.

Amendments: Amendments ordered printed pursuant to the rule appear on page 21295.

Recess: The House recessed at 3:03 a.m. on Thursday, October 7 and reconvened at 8:07 a.m. **Page 21288**

Adjournment: The House met at 10 a.m. and adjourned at 8:08 a.m. on Thursday, October 7.

Committee Meetings

FEDERAL REVENUE OPTIONS

Committee on the Budget: Held a hearing on Federal Revenue Options. Testimony was heard from Representatives Linder, Burgess, English, Price (NC) and Sandlin; and the following former Representatives from Texas: Richard K. Armey; and Bill Archer; and public witnesses.

CHILD PRODUCT SAFETY

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled "Child Product Safety: Do Current Standards Provide Enough Protection?" Testimony was heard from Hal Stratton, Chairman, Consumer Product Safety Commission; and public witnesses.

OFHEO REPORT—FANNIE MAE—ALLEGATIONS OF ACCOUNTING AND MANAGEMENT FAILURE

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "The OFHEO Report: Allegations of Accounting and Management Failure at Fannie Mae." Testimony was heard from Armando Falcon, Director, Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development; the following officials of Fannie Mae: Franklin D. Raines, Chairman and Chief Executive Officer; Timothy Howard, Vice Chairman and Chief Financial Officer; and Ann McLaughlin Korologos, Presiding Director, Board of Directors.

COMBATING WEST NILE VIRUS—CURRENT CHALLENGES

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing entitled "Current Challenges in Combating the West Nile Virus." Testimony was heard from the following officials of the Department of Health and Human Services: Anthony S. Fauci, M.D., Director, National In-

stitute of Allergy and Infectious Diseases, NIH; and Stephen M. Ostroff, M.D., Deputy Director, National Center for Infectious Diseases, Centers for Disease Control and Prevention; Benjamin J. Grumbles, Acting Assistant Administrator, Office of Water, EPA; John Pape, Chief Epidemiologist, Department of Public Health and Environment, State of Colorado; and public witnesses.

INTERNATIONAL RELIGIOUS FREEDOM 2004 ANNUAL REPORT

Committee on International Relations: Held a hearing on the Annual Report on International Religious Freedom 2004 and Designations of Countries of Particular Concern. Testimony was heard from Ambassador-at-Large John V. Hanford III, International Religious Freedom, Department of State; Preeta Bansal, Chair, U.S. Commission on International Religious Freedom; and public witnesses.

U.S. TRADE DISPUTES—PERU AND ECUADOR

Committee on International Relations: Subcommittee on Western Hemisphere held a hearing on U.S. Trade Disputes in Peru and Ecuador, Testimony was heard from Earl Anthony Wayne, Assistant Secretary, Bureau of Economic and Business Affairs, Department of State; Regina K. Vargo, Assistant U.S. Trade Representative for the Americas; and public witnesses.

OVERSIGHT—PRESIDENTIAL SUCCESSION ACT

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on the Presidential Succession Act. Testimony was heard from Representative Sherman; Thomas H. Neale, Government and Finance Division, CRS, Library of Congress; and public witnesses.

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE—CONFERENCE REPORT—AMERICAN JOBS CREATION ACT

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of October 7, 2004, providing for consideration or disposition of a conference report to accompany the bill (H.R. 4520) to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Committee on Rules: Granted, by voice vote, a rule providing that suspensions will be in order at any time on the legislative day of Thursday, October 7, 2004. The rule provides that the Speaker or his designee will consult with the Minority Leader or her designee on any suspension considered under the rule.

9/11 RECOMMENDATIONS IMPLEMENTATION ACT

Committee on Rules: Granted, by voice vote, a structured rule providing three hours and forty minutes of general debate on H.R. 10, 9/11 Recommendations Implementation Act, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence, 30 minutes equally divided and controlled by the chairman and ranking minority member for the Committee on Armed Services, 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services, 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform, 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations, 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Select Committee on Homeland Security. The rule waives all points of order against consideration of the bill.

The rule provides that the amendment in the nature of a substitute consisting of the text of the Rules Committee print dated October 4, 2004, shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute consisting of the text of the Rules Committee print. The rule makes in order only those further amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. The rule provides one motion to recommit with or without instructions.

OVERSIGHT—MARITIME DOMAIN AWARENESS

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing on Maritime Domain Awareness. Testimony was heard from the following officials of the Department of Homeland Security: Jeffrey P. High,

Director, Maritime Domain Awareness, U.S. Coast Guard; and Robert A. Kacksta, Executive Director, Border Security and Facilitation, U.S. Customs and Border Protection; RADM Samuel P. DeBow, Director, Marine and Aviation Operations, NOAA, Department of Commerce.

VA SMART CARD INITIATIVE(S)

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing on the status of the Department of Veterans Affairs smart card initiative(s). Testimony was heard from Benjamin H. Wu, Deputy Under Secretary, Technology, Technology Administration, Department of Commerce; Linda Koontz, Director, Information Management Issues, GAO; Robert N. McFarland, Assistant Secretary, Information and Technology, Department of Veterans Affairs; Robert J. Brandewie, Director, Defense Manpower Data Center, Office of the Secretary, Personnel and Readiness, Department of Defense; and a public witness.

BRIEFING—THREAT UPDATE

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Threat Update. The Committee was briefed by departmental witnesses.

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Thursday, October 7, 2004

Senate

Chamber Action

Routine Proceedings, pages 21315–21467

Measures Introduced: Thirty-three bills and three resolutions were introduced, as follows: S. 2910–2942, and S. Res. 451–453. **Page 21405**

Measures Reported:

S. 2550, to amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to improve water and wastewater infrastructure in the United States, with an amendment in the nature of a substitute. (S. Rept. No. 108–386)

S. 518, to increase the supply of pancreatic islet cells for research, to provide better coordination of Federal efforts and information on islet cell transplantation, and to collect the data necessary to move islet cell transplantation from an experimental procedure to a standard therapy, with an amendment in the nature of a substitute. (S. Rept. No. 108–387)

S. 2526, to reauthorize the Children's Hospitals Graduate Medical Education Program, with an amendment in the nature of a substitute (S. Rept. No. 108–388)

S. 2605, to direct the Secretary of the Interior and the heads of other Federal agencies to carry out an agreement resolving major issues relating to the adjudication of water rights in the Snake River Basin, Idaho, with an amendment in the nature of a substitute. (S. Rept. No. 108–389)

S. 423, to promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities, with an amendment in the nature of a substitute. (S. Rept. No. 108–390)

S. 2940, to amend the Older Americans Act of 1965 to assist States in preventing, detecting, treating, intervening in, and responding to elder abuse, neglect, and exploitation. (S. Rept. No. 108–391)

H.R. 2391, To amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises, with an amendment in the nature of a substitute.

S. 1379, to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States, with an amendment in the nature of a substitute.

S. 2302, to improve access to physicians in medically underserved areas, with an amendment in the nature of a substitute.

S. 2668, for the relief of Griselda Lopez Negrete. **Page 21404**

Intelligence Committee Reorganization: Senate continued consideration of S. Res. 445, to eliminate certain restrictions on service of a Senator on the Senate Select Committee on Intelligence, taking action on the following amendments proposed thereto: **Page 21320**

Adopted:

Baucus (for Grassley/Baucus) Amendment No. 3989 (to Amendment No. 3981), to clarify the provisions relating to the jurisdiction of the Department of Homeland Security. **Page 21321**

Chambliss/Kennedy Amendment No. 3994 (to Amendment No. 3981), to clarify the jurisdiction of the Committee on Homeland Security and Governmental Affairs. **Pages 21325, 21329, 21331**

Durbin Modified Amendment No. 4036 (to Amendment No. 3981), to modify the provisions relating to the staffing and budget of the select Committee. **Page 21355**

By 54 yeas to 41 nays (Vote No. 202), Hatch (for Leahy) Amendment No. 4037 (to Amendment No. 3981), to retain jurisdiction over the Secret Service in the Committee on the Judiciary. **Page 21355**

Roberts Amendment No. 4019 (to Amendment No. 3981), to clarify staff provisions. **Page 21361**

Roberts Modified Amendment No. 4018 (to Amendment No. 3981), to clarify the nominee referral provisions. **Page 21362**

Rockefeller Modified Amendment No. 4030 (to Amendment No. 3981), to clarify the jurisdiction of the select Committee on Intelligence. **Page 21362**

McConnell (for Byrd) Amendment No. 3986 (to Amendment No. 3981), to provide that the Sub-

committee on Intelligence shall have jurisdiction over funding for intelligence matters, as determined by the Senate Committee on Appropriations. Page 21365

McConnell (for Shelby/Sarbanes) Amendment No. 4038, to retain jurisdiction over the National Flood Insurance Act of 1968, with the Committee on Banking, Housing, and Urban Affairs. Page 21366

Rejected:

By 23 yeas to 74 nays (Vote No. 200), McCain Amendment No. 3999 (to Amendment No. 3981), to strike section 402 and vest intelligence appropriations jurisdiction in the Select Committee on Intelligence. Page 21332

By 33 yeas to 63 nays (Vote No. 201), McCain Amendment No. 4000 (to Amendment No. 3981), to ensure that the Committee has jurisdiction over the Transportation Security Administration. Page 21348

By 36 yeas to 54 nays (Vote No. 203), Biden/Lugar Amendment No. 4021 (to Amendment No. 3981), to provide that the Chairman and Ranking Member of the Committee on Foreign Relations (if not already a member of the select Committee) shall be ex officio members of the select Committee but shall have no vote in the Committee and shall not be counted for purposes of determining a quorum. Page 21366

Withdrawn:

Bayh Amendment No. 3995 (to Amendment No. 3981), to eliminate sequential referral. Pages 21326, 21331, 21375

Pending:

McConnell/Reid/Frist/Daschle Amendment No. 3981, in the nature of a substitute. Page 21320

Bingaman (for Domenici) Amendment No. 4040 (to Amendment No. 3981), to transfer jurisdiction over organization and management of United States nuclear export policy to the Committee on Energy and Natural Resources. Page 21371

During consideration of this measure today, Senate also took the following action:

Senate adopted and then vitiated the adoption of the Bingaman (for Domenici) Amendment No. 4040 (to Amendment No. 3981), to transfer jurisdiction over organization and management of United States nuclear export policy to the Committee on Energy and Natural Resources. Page 21371

A unanimous-consent agreement was reached providing that other than conforming and technical managers' amendments, the only remaining first-degree amendments be the following which are filed at the desk: Collins, Nickles, Hutchison, Frist, Bingaman-Domenici, and Rockefeller; provided further, that it be in order to file timely second-degree amendments up until 9:15 a.m. on Friday, October 8, 2004. Page 21375

A unanimous-consent agreement was reached providing for further consideration of the resolution at approximately 9:15 a.m., on Friday, October 8, 2004, with a vote on the motion to invoke cloture on Amendment No. 3981 (listed above). Page 21463

American Jobs Creation Act—Agreement: A unanimous-consent agreement was reached providing for consideration of the conference report to accompany H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad, at 9 a.m., on Friday, October 8, 2004; and providing for the filing of a cloture motion on the conference report. Page 21463

Appointments:

NATO Parliamentary Assembly: The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appointed the following Senators as members of the Senate Delegation to the NATO Parliamentary Assembly during the Second Session of the 108th Congress: Senators Leahy and Feinstein. Page 21463

Coordinating Council on Juvenile Justice and Delinquency Prevention: The Chair, on behalf of the Majority Leader, after consultation with the Democratic Leader, pursuant to Public Law 93–415, as amended by Public Law 102–586, appointed the following individuals to serve as a member of the Coordinating Council on Juvenile Justice and Delinquency Prevention: Steven H. Jones of Tennessee, Bill Gibbons of Tennessee, and Larry K. Brendtro of South Dakota. Page 21463

Nominations Received: Senate received the following nominations:

Frederick William Hatfield, of California, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2008.

Harold Damelin, of Virginia, to be Inspector General, Department of the Treasury.

Jorge A. Plasencia, of Florida, to be a Member of the Advisory Board for Cuba Broadcasting for a term expiring October 27, 2006.

Brian David Miller, of Virginia, to be Inspector General, General Services Administration.

Edward L. Flippen, of Virginia, to be Inspector General, Corporation for National and Community Service.

Routine lists in the Foreign Service, Navy. Page 21464

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

James B. Cunningham, of Pennsylvania, to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador, which was sent to the Senate on April 8, 2004.

James B. Cunningham, of Pennsylvania, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador, which was sent to the Senate on April 8, 2004.

1 Air Force nomination in the rank of general.
Page 21467

Messages From the House: Page 21398

Measures Read First Time: Page 21399

Enrolled Bills Presented: Page 21399

Petitions and Memorials: Page 21399

Executive Reports of Committees: Page 21405

Additional Cosponsors: Page 21406

Statements on Introduced Bills/Resolutions: Page 21407

Additional Statements: Page 21395

Amendments Submitted: Page 21453

Authority for Committees to Meet: Page 21463

Privilege of the Floor: Page 21463

Record Votes: Four record votes were taken today. (Total—203) Pages 21346, 21354, 21361, 21370

Adjournment: Senate convened at 9:30 a.m., and adjourned at 11:29 p.m., until 9 a.m., on Friday, October 8, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 21464.)

Committee Meetings

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nominations of Francis J. Harvey, of California, to be Secretary of the Army, and Richard Greco, Jr., of New York, to be an Assistant Secretary of the Navy for Financial Management, and 685 nominations in the Army, Navy, and Air Force.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the following business items:

S. 1379, to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States, and the nomination of Pamela Hughes Patenaude, of New Hampshire, to be an Assistant Secretary of Housing and Urban Development for Community Planning and Development, with an amendment in the nature of a substitute; and

The nomination of Pamela Hughes Patenaude, of New Hampshire, to be an Assistant Secretary of Housing and Urban Development for Community Planning and Development.

AIRLINE INDUSTRY PENSION PLANS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the effect of Federal bankruptcy and pension policy on the financial situation of the airlines, focusing on the airline plans' underfunding as an example of possible broader problems with the defined benefit pension system, airlines facing severe competitive pressures, structural flaws in the pension insurance program, and bargaining efforts to reduce pension costs, after receiving testimony from Representative Emanuel; David M. Walker, Comptroller General of the United States, Government Accountability Office; Bradley D. Belt, Executive Director, Pension Benefit Guaranty Corporation; Duane E. Woerth, Air Line Pilots Association, International, Washington, D.C.; and Robert L. Crandall, Irving, Texas.

BIOSHIELD II

Committee on Health, Education, Labor, and Pensions and the Committee on the Judiciary: On Wednesday, October 6, Committees concluded a joint hearing to examine an ever-changing threat relating to BioShield II, focusing on incentives for research to develop countermeasures to bioterror pathogens, and S. 666, to provide incentives to increase research by private sector entities to develop antivirals, antibiotics and other drugs, vaccines, microbicides, detection, and diagnostic technologies to prevent and treat illnesses associated with a biological, chemical, or radiological weapons attack, after receiving testimony from Christine Grant, Aventis Pasteur, Bridgewater, New Jersey; Alan P. Timmins, AVI BioPharma, Inc., Portland, Oregon; Kathleen D. Jaeger, Generic Pharmaceutical Association, Arlington, Virginia; Carlos Angulo, Zuckerman Spaeder, on behalf of the Coalition for a Competitive Pharmaceutical Market, Jeffrey P. Kushan, Sidley Austin Brown and Wood, LLP, and John M. Clerici, McKenna Long and Aldridge, LLP, all of Washington, D.C.; John G. Bartlett, Johns Hopkins University School of Medicine, Baltimore, Maryland, on behalf of the Infectious Disease Society of America; and Patricia Greenberg, New York State Nurse Alliance SEIU 1199, Syracuse.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

H.R. 2391, to amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises, with an amendment in the nature of a substitute;

S. 2302, to improve access to physicians in medically underserved areas, with an amendment in the nature of a substitute;

S. 2668, for the relief of Griselda Lopez Negrete; and

The nomination of Robert Cramer Balfe III, to be United States Attorney for the Western District of Arkansas, Department of Justice.

House of Representatives

Chamber Action

Measures Introduced: 48 public bills, H.R. 5242–5289; and 10 resolutions, H. Con. Res. 511 513, and H. Res. 835–841, were introduced. **Page 21928**

Additional Cosponsors: **Page 21931**

Reports Filed: Reports were filed today as follows:

H. Res. 776, of inquiry requesting the President and directing the Secretary of Health and Human Services provide certain documents to the House of Representatives relating to estimates and analyses of the cost of the Medicare prescription drug legislation, adversely (H. Rept. 108–754, Pt. 1);

Conference report on H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad (H. Rept. 108–755);

H.R. 4264, to amend title 18, United States Code, to strengthen prohibitions against animal fighting, amended (H. Rept. 108–756);

H.R. 4893, to authorize additional appropriations for the Reclamation Safety of Dams Act of 1978 (H. Rept. 108–757);

H.R. 4588, to amend the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000 to authorize additional projects and activities under that Act, amended (H. Rept. 108–758);

H.R. 4650, to amend the Act entitled "An Act to provide for the construction of the Cheney division, Witchita Federal reclamation project, Kansas, and for other purposes" to authorize the Equus Beds Division of the Wichita Project (H. Rept. 108–759);

H.R. 4775, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the El Paso, Texas, water reclamation, reuse, and desalinization project (H. Rept. 108–760);

H.R. 5135, to provide for a nonvoting delegate to the House of Representatives to represent the Commonwealth of the Northern Mariana Islands (H. Rept. 108–761);

H. Res. 830, waiving points of order against the conference report to accompany H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad (H. Rept. 108–762);

H. Res. 831, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–763);

H. Res. 832, waiving clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–764);

H. Res. 833, providing for consideration of motions to suspend the rules (H. Rept. 108–765); and

H. Res. 834, waiving clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–766). **Page 21928**

Chaplain: The prayer was offered today by Rev. Dan Remus, Senior Pastor, First Assembly of God in Kenosha, Wisconsin. **Page 21468**

Department of Homeland Security Appropriations Act, 2005—Motion to go to Conference: The House disagreed to the Senate amendment to H.R. 4567, making appropriations for the department of Homeland Security for the fiscal year ending September 30, 2005, and agreed to a conference. **Page 21472**

Agreed to the Mr. Sabo motion to instruct conferees on the bill, by a yea-and-nay vote of 395 yeas to 16 nays, Roll No. 502. **Page 21472**

Appointed as conferees: Representative Rogers (KY), Young (FL), Wolf, Wamp, Latham, Emerson, Granger, Sweeney, Sherwood, Sabo, Price, Serrano, Roybal-Allard, Berry, Mollohan, and Obey. **Page 21479**

Suspensions: The House agreed to suspend the rules and pass the following measures which were debated yesterday, October 6:

Internet Spyware (I–SPY) Prevention Act of 2004: H.R. 4661, amended, to amend title 18, United States Code, to discourage spyware, by a ⅔ yea-and-nay vote of 415 yeas with none voting "nay", Roll No. 503; **Page 21476**

Research Review Act of 2004: H.R. 5213, amended, to expand research information regarding multidisciplinary research projects and epidemiological studies, by a ⅔ yea-and-nay vote of 418 yeas with none voting "nay", Roll No. 504; **Page 21477**

Providing additional teacher loan forgiveness on Federal student loans: H.R. 5186, amended, to reduce certain special allowance payments and provide additional teacher loan forgiveness on Federal student loans, by a ⅔ yea-and-nay vote of 414 yeas with none voting "nay", Roll No. 505; **Page 21478**

Reauthorizing and improving programs under the Public Works and Economic Development Act of 1965: S. 1134, to reauthorize and improve the programs authorized by the Public Works and Economic Development Act of 1965, by a ⅔ yea-and-nay vote of 388 yeas to 31 nays, Roll No. 507; and **Page 21727**

Comprehensive Peace in Sudan Act: H.R. 5061, amended, to provide assistance for the current crisis in the Darfur region of Sudan and to facilitate a comprehen-

sive peace in Sudan, by a ⅔ yea-and-nay vote of 412 yeas to 3 nays, Roll No. 508. **Page 21728**

American Jobs Creation Act of 2004—Conference Report: The House agreed to the conference report on H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad, by a yea-and-nay vote of 280 yeas to 141 nays, Roll No. 509. **Page 21778**

H. Res. 828, a rule waiving a requirement of clause 6(a) of rule XIII with respect to the same day consideration of certain resolutions reported by the Rules Committee, was agreed to by yea-and-nay vote of 222 yeas to 195 nays, Roll No. 506. **Page 21479**

H. Res. 830, the rule providing for consideration of the conference report was agreed to by voice vote. **Page 21771**

9/11 Recommendations Implementation Act: The House began consideration of H.R. 10, to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination. Further consideration will continue tomorrow, October 8. **Pages 21729, 21793**

Agreed to:

Simmons amendment (No. 2 printed in H. Rept. 108–751) that seeks to express the sense of Congress that the new National Intelligence Director should establish an Open Source Intelligence Center; and **Page 21914**

Souder amendment (No. 3 printed in H. Rept. 108–751) that directs the Secretary of Homeland Security to ensure that all appropriate personnel engaged in security screening of individuals have access to law enforcement and intelligence information maintained by DHS (by a recorded vote of 410 ayes with none voting "no", Roll No. 511). **Pages 21919, 21922**

Rejected:

Menendez amendment in the nature of a substitute (No. 1 printed in H. Rept. 108–751) that sought to merge two bills endorsed by the 9/11 Commission (by a recorded vote of 203 ayes to 213 noes, Roll No. 510). **Pages 21862, 21921**

H. Res. 827, the rule providing for consideration of the bill was agreed to by voice vote. **Page 21723**

Committee Resignation: Read a letter from Representative Cantor wherein he resigned from the Committee on Government Reform effective immediately. **Page 21923**

Committee Election: Agreed to H. Res. 835, electing Representative Putnam to the Committee on Government Reform. **Page 21923**

Military Construction Appropriations Act, 2005—Motion to go to Conference: The House disagreed to the Senate amendment to H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, and agreed to a conference. **Page 21923**

Appointed as conferees: Representatives Knollenberg, Walsh, Aderholt, Granger, Goode, Vitter, Kingston, Crenshaw, Young (FL), Edwards, Farr, Boyd, Bishop (GA), Dicks, and Obey. **Page 21923**

Commission on International Religious Freedom—Appointment: The Chair announced the Speaker's appointment of Ms. Elizabeth Prodromou of Boston, Massachusetts to the Commission on International Religious Freedom to succeed Ms. Patricia W. Chang of San Francisco, California. **Page 21923**

Quorum Calls—Votes: Seven yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages 21476–78, 21727–29, 21792, and 21921–23. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12:13 a.m. on Friday, October 8.

Committee Meetings

MORTGAGE FRAUD—IMPACT ON MORTGAGE LENDERS

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing entitled "Mortgage Fraud and its Impact on Mortgage Lenders." Testimony was heard from the following officials of the Department of Housing and Urban Development: Kenneth M. Donohue, Sr., Inspector General; and John C. Weicher, Assistant Secretary, Housing/Federal Housing Commissioner; Chris Swecker, Assistant Director, Criminal Investigations, FBI, Department of Justice; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Favorably considered the following bill and adopted a motion urging the Chairman to request that it be considered on the Suspension Calendar: H.R. 2760, as amended, Resolution of the Ethiopia-Eritrea Border Dispute Act of 2003.

The Committee also began discussion of H. Res. 28, Expressing the sense of the House of Representatives that the United States should declare its support for the Independence of Kosova.

OVERSIGHT—FEDERAL OFFENDER RE-ENTRY

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on Federal Offender Reentry and Protecting Children from Criminal Recidivists. Testimony was heard from Representatives Portman and Harris; Ashbel T. Wall II, Director, Department of Corrections, State of Rhode Island; and a public witness.

CONFERENCE REPORT—AMERICAN JOBS CREATION ACT OF 2004

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany, H.R. 4520, American Jobs Creation act of 2004, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representative McCrery.

SAME-DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE—CONFERENCE REPORT—NATIONAL DEFENSE AUTHORIZATION

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of October 8, 2004, providing for consideration or disposition of a conference report to accompany the bill (H.R. 4200) to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

SAME-DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of October 8, 2004, providing for consideration or disposition of a conference report to accompany the bill (H.R. 4567) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes.

SAME-DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of October 8, 2004, providing for consideration or disposition of a conference report accompany the bill (H.R. 4837) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes.

CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Committee on Rules: Granted, by voice vote, a rule providing that suspensions will be in order at any time on the legislative day of Friday, October 8, 2004. The rule provides that the Speaker or his designee will consult with the Minority Leader or her designee on any suspension considered under the rule.

BRIEFING—IRAQ SURVEY GROUP REPORT

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Iraq Survey Group Report. The Committee was briefed by departmental witnesses.

Joint Meetings

AMERICAN JOBS CREATION ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad.

APPROPRIATIONS: DEPARTMENT OF HOMELAND SECURITY

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, but did not complete action thereon, and recessed subject to the call of the chair.

NATURAL GAS

Joint Economic Committee: Committee concluded a hearing to examine the long-run economics of natural gas, focusing on conditions in the natural gas market, and strategies to balance the rising demand with the limited supply of natural gas, after receiving testimony from Daniel Yergin, Cambridge Energy Research Associates, Boston, Massachusetts; Paul Sankey, Deutsche Bank, New York, New York; Logan Magruder, Berry Petroleum Company's Rocky Mountain and Mid-continent Regions, Denver, Colorado, on behalf of the Independent Petroleum Association of Mountain States; and William R. Prindle, American Council for an Energy-Efficient Economy, Washington, D.C.

Friday, October 8, 2004

Senate

Chamber Action

Routine Proceedings, pages 21952–22091

Measures Introduced: Twenty-six bills and two resolutions were introduced, as follows: S. 2943–2968, and S. Con. Res. 142–143. **Page 22037**

Measures Reported:

S. 2628, to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel. (S. Rept. No. 108–392)

S. 2657, to amend part III of title 5, United States Code, to provide for the establishment of programs under which supplemental dental and vision benefits are made available to Federal employees, retirees, and their dependents, to expand the contracting authority of the Office of Personnel Management. (S. Rept. No. 108–393)

S. 2815, to give a preference regarding States that require schools to allow students to self-administer medication to treat that student's asthma or anaphylaxis. (S. Rept. No. 108–394)

S. 1217, to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls, with an amendment in the nature of a substitute. (S. Rept. No. 108–395)

S. 2645, to amend the Communications Act of 1934 to authorize appropriations for the Corporation for Public Broadcasting. (S. Rept. No. 108–396)

S. 1438, to provide for equitable compensation of the Spokane Tribe of Indians of the Spokane Reservation in settlement of claims of the Tribe concerning the contribution of the Tribe to the production of hydropower by the Grand Coulee Dam, with an amendment in the nature of a substitute. (S. Rept. No. 108–397)

Page 22037

Measures Passed:

Livestock Mandatory Price Reporting Act Amendment: Senate passed S. 2965, to amend the Livestock Mandatory Price Reporting Act of 1999 to modify the termination date for mandatory price reporting. **Page 22072**

Pancreatic Islet Cell Transplantation Act: Senate passed H.R. 3858, to amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation, clearing the measure for the President. **Page 22073**

Veterans Benefits: Senate passed S. 2486, to amend title 38, United States Code, to improve and extend housing, education, and other benefits under the laws administered by the Secretary of Veterans Affairs, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 22073**

Frist (for Specter) Amendment No. 4044, in the nature of a substitute. **Page 22086**

Intelligence Committee Reorganization: Senate continued consideration of S. Res. 445, to eliminate certain restrictions on service of a Senator on the Senate Select Committee on Intelligence, taking action on the following amendments proposed thereto: **Page 21952**

Pending:

McConnell/Reid/Frist/Daschle Amendment No. 3981, in the nature of a substitute. **Page 21953**

Bingaman (for Domenici) Amendment No. 4040 (to Amendment No. 3981), to transfer jurisdiction over organization and management of United States nuclear export policy to the Committee on Energy and Natural Resources. **Page 21953**

Nickles Amendment No. 4027 (to Amendment No. 3981), to vest sole jurisdiction over the Federal budget process in the Committee on the Budget. **Page 21970**

Subsequently, the proposal of Amendment No. 4027 (listed above), was vitiated. **Page 21971**

Nickles Amendment No. 4041 (to Amendment No. 4027), to vest sole jurisdiction over the Federal budget process in the Committee on the Budget, and to give the Committee on the Budget joint jurisdiction with the Governmental Affairs Committee over the process of reviewing, holding hearings, and voting on persons nominated by the President to fill the positions of Director and Deputy Director for Budget within the Office of Management and Budget. **Page 21971**

Subsequently, the proposal of Amendment No. 4041 (listed above), was vitiated. **Page 21971**

During consideration of this measure today, Senate also took the following action:

By 88 yeas to 3 nays (Vote No. 204), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the McConnell/Reid/Frist/Daschle Amendment No. 3981 (listed above). **Page 21953**

By 85 yeas to 4 nays (Vote No. 205), Senate agreed to the motion to instruct the Sergeant at Arms to request the attendance of absent Senators. **Page 21969**

A unanimous-consent agreement was reached providing that at 11:15 a.m. on Saturday, October 9, 2004, Senate proceed to votes in relation to any pending amendments to Amendment No. 3981 (listed above); provided further, that it be in order prior to votes for Senators to offer a

qualified amendment from the unanimous consent list of October 7, 2004; provided further, that following the disposition of those amendments, Senate proceed to a vote on the adoption of the pending Amendment No. 3981, to be followed by a vote on cloture on the resolution; provided further, that if cloture is invoked, Senate immediately proceed to a vote on adoption of the resolution, as amended. **Page 22007**

A unanimous-consent agreement was reached providing for further consideration of the resolution at 10 a.m., on Saturday, October 9, 2004. **Page 22086**

American Jobs Creation Act: Senate began consideration of the conference report to accompany H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad. **Page 21952**

A motion was entered to close further debate on the conference report to accompany H.R. 4520, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur at 1 p.m., on Sunday, October 10, 2004. **Page 21952**

A unanimous-consent agreement was reached providing that the vote on the motion to invoke cloture will occur at 1 p.m., on Sunday, October 10, 2004. **Page 22007**

National Intelligence Reform Act: A unanimous-consent agreement was reached providing that, notwithstanding the October 6, 2004 passage of S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, Collins/Lieberman Amendment No. 3977, previously agreed to, was modified. **Page 22073**

Agriculture Emergencies Resolution—Agreement: A unanimous-consent agreement was reached providing for the consideration of a resolution submitted by Senator Harkin, regarding the sense of the Senate and agriculture emergencies; provided further, that when the Senate completes action on S. Res., 445, Intelligence Committee Reorganization, Senate immediately proceed to a vote on the adoption of the resolution. **Page 22007**

Overtime Compensation/FDA and Tobacco Products Legislation—Agreement: A unanimous-consent agreement was reached providing that during Sunday, October 10, 2004 session, it be in order for the Senate to consider a bill regarding overtime compensation, and a bill regarding FDA and tobacco products; provided further, that both bills be read a third time and passed en bloc. **Page 22007**

Appointments:

United States-China Economic Security Review Commission: The Chair, on behalf of the President pro tempore, pursuant to Public Law 106–398, as amended by Public Law 108–7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106–398, and upon the recommendation of the Majority Leader, in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, appointed the following individual to the United States-China Economic Security Review Commission:

The Honorable Fred D. Thompson of Tennessee for a term beginning January 1, 2005 and expiring December 31, 2006. **Page 22072**

United States-China Economic Security Review Commission: The Chair, on behalf of the President pro tempore, pursuant to Public Law 106–398, as amended by Public Law 108–7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106–398, and upon the recommendation of the Democratic Leader, in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, appointed the following individual to the United States-China Economic Security Review Commission:

Patrick A. Mulloy of Virginia for a term beginning January 1, 2005 and expiring December 31, 2006. **Page 22072**

Nominations Confirmed: Senate confirmed the following nominations:

31 Air Force nominations in the rank of general.

37 Army nominations in the rank of general.

4 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Navy. **Pages 22071, 22091**

Nominations Received: Senate received the following nominations:

Carolyn L. Gallagher, of Texas, to be a Governor of the United States Postal Service for the remainder of the term expiring December 8, 2005.

Louis J. Giuliano, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2009.

Routine lists in the Air Force. **Page 22086**

Messages From the House: **Page 22029**

Measures Placed on Calendar: **Page 22030**

Measures Read First Time: **Pages 22030, 22072**

Executive Communications: **Page 22030**

Petitions and Memorials: **Page 22032**

Additional Cosponsors: **Page 22038**

Statements on Introduced Bills/Resolutions: **Page 22040**

Additional Statements: **Page 22026**

Amendments Submitted: **Page 22058**

Authority for Committees to Meet: **Page 22070**

Quorum Calls: One quorum call was taken today. (Total—1) **Page 21968**

Record Votes: Two record votes were taken today. (Total—205) **Pages 21953, 21969**

Adjournment: Senate convened at 9 a.m., and adjourned at 8:03 p.m., until 10 a.m., on Saturday, October 9, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 22086.)

Committee Meetings

NOMINATION

Committee on Finance: Committee concluded a hearing to examine the nomination of Anna Escobedo Cabral, of Virginia, to be Treasurer of the United States, after the nominee, who was introduced by Senator Hatch, testified and answered questions in her own behalf.

House of Representatives

Chamber Action

Measures Introduced: 64 public bills, H.R. 5290–5352; and 16 resolutions, H.J. Res. 109–110; H. Con. Res. 514–517, and H. Res. 842–851, were introduced. **Page 22789**

Additional Cosponsors: **Page 22793**

Reports Filed: Reports were filed today as follows:

H. Res. 776, of inquiry requesting the President and directing the Secretary of Health and Human Services provide certain documents to the House of Representatives relating to estimates and analyses of the cost of the Medicare prescription drug legislation, adversely (H. Rept. 108–754, Pt. 2);

Conference report on H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2005 (H. Rept. 108–767);

H.R. 3826, to require the review of Government programs at least once every 5 years for purposes of evaluating their performance, amended (H. Rept. 108–768);

H. Res. 843, waiving points of order against the conference report to accompany H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces (H. Rept. 108–769);

H.R. 2699, to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, amended (H. Rept. 108–770);

Conference report on H.R. 1047, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws (H. Rept. 108–771); and

H. Res. 846, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–772). **Pages 22126, 22789**

Speaker: Read a letter from the Speaker wherein he appointed Representative Kirk to act as Speaker pro tempore for today. **Page 22092**

9/11 Recommendations Implementation Act: The House passed H.R. 10, to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, by a recorded vote of 282 ayes to 134 noes, Roll No. 523. **Page 22094**

Rejected the Maloney motion to recommit the bill to the Permanent Select Committee on Intelligence with instructions to report the bill back to the House forthwith with an amendment, by a recorded vote of 193 ayes to 223 noes, Roll No. 522. **Page 22653**

Agreed to the amendment in the nature of a substitute consisting of the text of the Rules Committee Print dated October 4, 2004, and that the amendment be considered as an original bill for the purpose of amendment.

Agreed to consider certain amendments en bloc and limited time for debate on the en bloc amendments to 10 minutes. **Page 22105**

Agreed to:

Bonilla amendment (No. 6 printed in H. Rept. 108–751) that directs the Secretary of Homeland Security to increase Detention and Removal Operations bed space for FY06 and FY07 by 2,500 beds each year; **Page 22100**

Capito amendment (No. 7 printed in H. Rept. 108–751) that revises, enhances, and consolidates two Federal criminal law statutes into one comprehensive statute in order to deter, and more effectively punish, terrorist acts against railroad carriers and mass transportation providers; **Page 22102**

En bloc amendment consisting of amendments numbered 9, 16, 18, 20, and 22 printed in H. Rept. 108–751; **Page 22107**

Foley amendment (No. 10 printed in H. Rept. 108–751) that amends the Immigration and Nationality Act to provide for the inadmissibility and removability of aliens who have committed, ordered, assisted, incited, or otherwise participated in acts of torture or extrajudicial killings abroad; **Page 22111**

Hostettler amendment (No. 13 printed in H. Rept. 108–751) that modifies certain sections of the bill (agreed to extend the time for debate on the amendment); **Page 22118**

Kirk amendment (No. 4 printed in H. Rept. 108–751) requires the President to submit a report to the congressional intelligence committees detailing how the Drug Enforcement Administration can be integrated into the

intelligence community (by a recorded vote of 414 ayes with none voting "no", Roll No. 512);

Pages 22094, 22122

Sessions amendment (No. 5 printed in H. Rept. 108–751) that establishes a "zero tolerance" policy towards unlawful importation, possession, or transfer of shoulder fired guided missiles, atomic weapons, dirty bombs, and variola virus by making their unauthorized possession a federal crime carrying stiff mandatory penalties (by a recorded vote of 385 ayes to 30 noes, Roll No. 513);

Pages 22095, 22123

Carter amendment (No. 8 printed in H. Rept. 108–751) that amends the Federal criminal code to apply the death penalty or life imprisonment for a terrorist offense that results in the death of a person (by a recorded vote of 344 yeas to 72 nays, Roll No. 514);

Pages 22105, 22123

Goodlatte amendment (No. 11 printed in H. Rept. 108–751) that creates a rebuttable presumption that no amount of bail or other conditions would assure the appearance in court of a defendant when he is charged with a terrorist offense and there is probable cause that the defendant committed certain terrorist attacks (by a recorded vote of 333 ayes to 84 noes, Roll No. 515);

Pages 22114, 22124

Green of Wisconsin amendment (No. 12 printed in H. Rept. 108–751) that strengthens immigration law in regard to the inadmissibility and deportability of alien terrorists and their supporters (by a recorded vote of 283 ayes to 132 noes, Roll No. 516); Pages 22116, 22125

Bartlett amendment (No. 21 printed in H. Rept. 108–751) that directs the Director of Homeland Security to establish an independent panel to assess the homeland security needs of the National Capital Region; Page 22640

Porter amendment (No. 23 printed in H. Rept. 108–751) that promotes the Special Assistant to the Secretary for the Private Sector to an Undersecretary of Homeland Security for the Private Sector and Tourism; Page 22641

Ose amendment (No. 17 printed in H. Rept. 108–751) that expedites construction of two gaps in the 14 mile long barrier at the San Diego border (by a recorded vote of 256 ayes to 160 noes, Roll No. 519); and

Pages 22634, 22645

Weldon of Pennsylvania amendment (No. 19 printed in H. Rept. 108–751) that requires the Secretary of Homeland Security to establish a program that identifies and catalogs existing mutual agreements (by a recorded vote of 415 ayes with none voting "no", Roll No. 520).

Pages 22638, 22646

Rejected:

Smith of New Jersey amendment (No. 14 printed in H. Rept. 108–751) that strikes a section of the bill that requires expedited removal of aliens that have been present for less than five years without a hearing or future review (agreed to by a recorded vote of 212 ayes to 203 noes, Roll No. 517) (a separate vote was demanded on the amendment and it failed by a recorded vote of 203 ayes to 210 noes, Roll No. 521); and

Pages 22631, 22644, 22652

Smith of New Jersey amendment (No. 15 printed in H. Rept. 108–751) that strikes a section of the bill that diminishes asylum rights and refugee protections (by a recorded vote of 197 ayes to 219 noes, Roll No. 518).

Pages 22632, 22644

Agreed that the Clerk be authorized to make technical and conforming changes to the bill in its enrollment.

Page 22717

Agreed that the Committee on the Judiciary have until November 19, 2004 to file a supplemental report on the bill. Page 22718

H. Res. 827, the rule providing for consideration of the bill was agreed to yesterday, October 7.

Later, the House rejected the Gutierrez motion to instruct conferees on the Senate companion bill, S. 2845, by a yea-and-nay vote of 169 yeas to 229 nays, Roll No. 525. Pages 22718, 22733

Requesting the return of papers: Agreed to H. Res. 842, requesting the return of official papers on S. 1301.

Page 22630

National Defense Authorization Act for Fiscal Year 2005—Conference Report: The House began consideration of the conference report to accompany H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces. Further proceedings will continue on Saturday, October 9. Page 22735

Agreed to H. Con. Res. 514, directing the Clerk of the House to make a technical correction in the enrollment of H.R. 4200. Page 22748

H. Res. 831, waiving a requirement of clause 6(a) of Rule XIII with respect to the same day consideration of certain resolutions reported by the Rules Committee, was agreed to by voice vote. Page 22726

H. Res. 843, providing for consideration of the conference report, was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 225 yeas to 175 nays, Roll No. 524. Page 22728

Privileged Resolution: The House agreed to table H. Res. 845, relating to a question of the privileges of the House, by a recorded vote of 210 ayes to 182 noes and 5 voting "present", Roll No. 526. Page 22734

Military Construction Appropriations Act, 2005—Conference Report: The House agreed to H. Res. 832, waiving a requirement of clause 6(a) of Rule XIII with respect to the same day consideration of certain resolutions reported by the Rules Committee, was agreed to by voice vote. Page 22748

Recess: The House recessed at 8:14 p.m. and reconvened at 10:42 p.m. Page 22749

Authorizing the Gateway Arch in St. Louis be illuminated by pink lights in honor of breast cancer awareness month: The House passed S. 2895, to authorize the Gateway Arch in St. Louis, Missouri, to be illuminated by pink lights in honor of breast cancer awareness month—clearing the measure for the President. Page 22749

Fort Donelson National Battlefield Expansion Act of 2004: The House passed S. 524, to expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862—clearing the measure for the President. Page 22749

Reauthorizing the State Justice Institute: Agreed to the Senate amendment to H.R. 2714, to reauthorize the State Justice Institute—clearing the measure for the President. Page 22749

Prevention of Child Abduction Partnership Act: The House passed S. 2883, to amend the International Child Abduction Remedies Act to limit the tort liability of private entities or organizations that carry out responsibilities of United States Central Authority under that Act—clearing the measure for the President. Page 22750

Anabolic Steroid Control Act of 2004: The House passed S. 2195, to amend the Controlled Substances Act to clarify the definition of anabolic steroids and to provide for research and education activities relating to steroids and steroid precursors—clearing the measure for the President. Page 22751

Federal Regulatory Improvement Act of 2004: The House passed H.R. 4917, to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States for fiscal years 2005, 2006, and 2007. Page 22752

Family Farmer Bankruptcy Relief Act of 2004: The House passed S. 2864, to extend for eighteen months the period for which chapter 12 of title 11, United States Code, is reenacted—clearing the measure for the President. Page 22752

Improving Access to Assistive Technology for Individuals With Disabilities Act of 2004: The House agreed to the Senate amendment to H.R. 4278, to amend the Assistive Technology Act of 1998 to support programs of grants to States to address the assistive technology needs of individuals with disabilities—clearing the measure for the President. Page 22752

Improving Education Results for Children With Disabilities Act of 2003: The House disagreed to the Senate amendment to H.R. 1350, to reauthorize the Individuals with Disabilities Education Act, and agreed to a conference. Page 22761

Appointed as conferees: From the Education and the Workforce for consideration of the House bill and the Senate amendment, and modifications committed to conference: Representatives Boehner, Castle, Ehlers, Keller, Wilson (SC), George Miller (CA), Woolsey, and Owens. Page 22761

From the Committee on Energy and Commerce, for consideration of sec. 101 and title V of the Senate amendment, and modifications committed to conference: Representatives Barton (TX), Bilirakis, and Dingell. Page 22761

From the Committee on the Judiciary, for consideration of sec. 205 of the House bill, and sec. 101 of the Senate amendment, and modifications committed to conference: Representatives Sensenbrenner, Smith (TX) and Conyers. Page 22761

Extending the liability indemnification regime for the commercial space transportation industry: The House passed H.R. 5245, to extend the liability indemnification regime for the commercial space transportation industry. Page 22761

National Earthquake Hazards Reduction Program Reauthorization Act of 2003: The House agreed to the Senate amendment to H.R. 2608, to reauthorize the National Earthquake Hazards Reduction Program—clearing the measure for the President. Page 22762

Amending the securities laws to permit church pension plans to be invested in collective trusts: The House agreed to the Senate amendment to H.R. 1533, to amend the securities laws to permit church pension plans to be invested in collective trusts—clearing the measure for the President. Page 22766

Authorizing the President to award a gold medal to Rev. Dr. Martin Luther King, Jr. (posthumously) and Coretta Scott King: The House passed S. 1368, to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement—clearing the measure for the President. Page 22766

Modifying and extending certain privatization requirements of the Communications Satellite Act of 1962: The House passed S. 2896, to modify and extend certain privatization requirements of the Communications Satellite Act of 1962—clearing the measure for the President. Page 22767

Authorizing appropriations for the John F. Kennedy Center for the Performing Arts: The House passed H.R. 5294, to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts. Page 22767

Veterans' Compensation Cost-of-Living Adjustment Act of 2004: The House agreed to the Senate amendment to H.R. 4175, to increase, effective as of December 1, 2004, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans—clearing the measure for the President. **Page 22768**

Global Anti-Semitism Review Act of 2004: The House passed S. 2292, amended, to require a report on acts of anti-Semitism around the world. **Page 22769**

Resolution of the Ethiopia-Eritrea Border Dispute Act of 2003: The House passed H.R. 2760, amended, to limit United States assistance for Ethiopia and Eritrea if those countries are not in compliance with the terms and conditions of agreements entered into by the two countries to end hostilities and provide for a demarcation of the border between the two countries. **Page 22771**

Miscellaneous Trade and Technical Corrections Act of 2003: The House agreed to the conference report to accompany H.R. 1047, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws. **Page 22774**

Providing for the establishment of supplemental dental and vision benefits for Federal employees, retirees, and dependents: The House passed H.R. 5295, to amend part III of title 5, United States Code, to provide for the establishment of programs under which supplemental dental and vision benefits are made available to Federal employees, retirees, and their dependents, to expand the contracting authority of the Office of Personnel Management. **Page 22774**

Recess: The House recessed at 11:07 p.m. and reconvened at 2:10 a.m. on Saturday, October 9. **Page 22779**

Recess: The House recessed at 2:11 a.m. and reconvened at 9:36 a.m. on Saturday, October 9. **Page 22779**

Quorum Calls—Votes: 13 yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages 22122–25, 22644–46, 22653, 22716–17, and 22732–35. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 9:37 a.m. on Saturday, October 9.

Committee Meetings

FLU SHOT SHORTAGE

Committee on Government Reform: Held a hearing entitled "The Nation's Flu Shot Shortage: How it Happened and Where We Go from Here." Testimony was heard from the following officials of the Department of Health and Human Services: Julie L. Gerberding, M.D., Director, Centers for Disease Control and Prevention; Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH; and Lester M. Crawford, M.D., Acting Commissioner, FDA; Robert Stroube, M.D., Commissioner, Department of Health, State of Virginia; and public witnesses.

PEACEKEEPING IN AFRICA

Committee on International Relations: Subcommittee on Africa held a hearing on Peacekeeping in Africa: Challenges and Opportunities. Testimony was heard from James W. Swigert, Principal Deputy Assistant Secretary, Bureau of International Organization Affairs, Department of State; and public witnesses.

CONFERENCE REPORT—DEPARTMENT OF DEFENSE AUTHORIZATION ACT FISCAL YEAR 2005

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 4200, Department of Defense Authorization Act Fiscal Year 2005, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Hunter and Representative Skelton.

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any resolution reported on or before the legislative day of November 20, 2004, providing for consideration or disposition of any of the following measures: (1) A bill or joint resolution making continuing appropriations for the fiscal year 2005, an amendment thereto, or a conference report thereon; and (2) A bill or joint resolution making general appropriations for the fiscal year ending September 30, 2005, an amendment thereto, or a conference report thereon.

Joint Meetings

EMPLOYMENT SITUATION

Joint Economic Committee: Committee concluded hearings to examine the employment-unemployment situation for September 2004, focusing on long-term interest rates, housing markets, the trade balance, and the impact of the four hurricanes in Florida during August and September, after receiving testimony from Kathleen P. Utgoff, Commissioner, Bureau of Labor Statistics, Department of Labor.

Saturday, October 9, 2004

Senate

Chamber Action

Routine Proceedings, pages 22940–23054

Measures Introduced: Five bills and ten resolutions, were introduced as follows: S. 2969–2973, and S. Res. 454–463. **Page 23030**

Measures Passed:

Justice for All Act: Senate passed H.R. 5107, to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases. **Page 22951**

A unanimous-consent agreement was reached providing that when the Senate receives from the House a correcting enrollment resolution relating to H.R. 5107 (listed above); provided that the Senate proceed to its consideration and the resolution be agreed to and the motion to reconsider be laid upon the table; provided further, that if the House does not adopt the correcting enrollment resolution by the end of this Congress then the Senate action on H.R. 5107 be vitiated. **Page 22951**

Taxpayer-Teacher Protection Act: Senate passed H.R. 5186, to reduce certain special allowance payments and provide additional teacher loan forgiveness on Federal student loans, clearing the measure for the President. **Page 22960**

Higher Education Act Extension: Senate passed H.R. 5185, to temporarily extend the programs under the Higher Education Act of 1965, clearing the measure for the President. **Page 22962**

Mammography Quality Standards Reauthorization Act: Senate passed H.R. 4555, to amend the Public Health Service Act to revise and extend provisions relating to mammography quality standards, clearing the measure for the President. **Page 22962**

Intelligence Committee Reorganization: By 79 yeas to 6 nays (Vote No. 208), Senate agreed to S. Res. 445, to eliminate certain restrictions on service of a Senator on the Senate Select Committee on Intelligence, after taking action on the following amendments proposed thereto: **Pages 22940, 22959, 22963**

Adopted:

Frist Modified Amendment No. 4035 (to Amendment No. 3981), to modify certain security procedures of the Senate Select Committee on Intelligence regarding public disclosure of classified information. **Page 22940**

Hutchison Amendment No. 4042 (to Amendment No. 4015), to implement responsible subcommittee reorganization in the Committee on Appropriations. **Page 22949**

By 50 yeas to 35 nays (Vote No. 206), McConnell (for Nickles/Conrad) Amendment No. 4041 (to Amendment No. 4027), to vest sole jurisdiction over the Federal budget process in the Committee on the Budget, and to give the Committee on the Budget joint jurisdiction with the Governmental Affairs Committee over the process of reviewing, holding hearings, and voting on persons nominated by the President to fill the positions of Director and Deputy Director for Budget within the Office of Management and Budget. **Pages 22941, 22950**

McConnell (for Nickles/Conrad) Amendment No. 4027 (to Amendment No. 3981), to vest sole jurisdiction over the Federal budget process in the Committee on the Budget. **Pages 22941, 22947, 22950, 22959**

By 44 yeas to 41 nays (Vote No. 207), Hutchison Amendment No. 4015 (to Amendment No. 3981), to implement responsible subcommittee reorganization in the Committee on Appropriations. **Pages 22949, 22959**

McConnell/Reid Amendment No. 4045 (to Amendment No. 3981), to make certain conforming and technical amendments. **Page 22963**

McConnell/Reid/Frist/Daschle Amendment No. 3981, in the nature of a substitute. **Pages 22940, 22963**

Withdrawn:

Bingaman (for Domenici) Amendment No. 4040 (to Amendment No. 3981), to transfer jurisdiction over organization and management of United States nuclear export policy to the Committee on Energy and Natural Resources. **Page 22940**

A unanimous-consent agreement was reached providing that the vote on the motion to invoke cloture on the resolution was vitiated. **Page 22966**

A unanimous-consent agreement was reached providing that amendments numbered 3989, 3994, and 4037, all previously agreed to, were modified. **Page 22963**

Agriculture Disaster Assistance: By 71 yeas to 14 nays (Vote No. 209), Senate agreed to S. Res. 454, expressing the sense of the Senate that the 108th Congress should provide the necessary funds to make disaster assistance available for all customarily eligible agricultural producers as emergency spending and not funded by cuts to the farm bill. **Page 22967**

Enrollment Correction: Senate agreed to H. Con. Res. 514, directing the Clerk of the House of Representatives to make a technical correction in the enrollment of the bill H.R. 4200. **Page 22997**

Veterans Health Programs Improvement Act: Committee on Veterans' Affairs was discharged from further

consideration of H.R. 3936, to amend title 38, United States Code, to increase the authorization of appropriations for grants to benefit homeless veterans, to improve programs for management and administration of veterans' facilities and health care programs, and the bill was then passed, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 2485, Senate companion measure, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 23042**

Frist (for Specter) Amendment No. 4048, in the nature of a substitute. **Page 23052**

Frist (for Specter) Amendment No. 4049, to amend the title. **Page 23052**

Subsequently, S. 2485 was returned to the Senate calendar. **Page 23052**

Indian Veterans' Charter: Senate passed S. 2938, to grant a Federal charter to the National American Indian Veterans, Incorporated. **Page 23052**

Enrollment Correction: Senate agreed to H. Con. Res. 519, correcting the enrollment of H.R. 5107. **Page 23054**

National Defense Authorization Act—Conference Report: By unanimous consent, Senate agreed to the conference report to accompany H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, clearing the measure for the President. **Page 22987**

American Jobs Creation Act: Senate continued consideration of the conference report to accompany H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad. **Page 22969**

A unanimous-consent agreement was reached providing for further consideration of the conference report at 10:30 a.m., on Sunday, October 10, 2004, with a vote on the motion to invoke cloture to occur at 1 p.m.; provided further, that if cloture is invoked Senator Landrieu be recognized, following the vote, to speak for up to 1 hour. **Page 23053**

Appropriations: Military Construction—Conference Report: Senate began consideration of the conference report to accompany H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005. **Page 23022**

A motion was entered to close further debate on the conference report and, in accordance with the provisions of Rule XXII, of the Standing Rules of the Senate, a cloture vote will occur on Monday, October 11, 2004. **Page 23022**

Appropriations: Homeland Security—Conference Report: Senate began consideration of the conference report to accompany H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005. **Page 23022**

A motion was entered to close further debate on the conference report and, in accordance with the provisions of Rule XXII, of the Standing Rules of the Senate, a cloture vote will occur on Monday, October 11, 2004. **Page 23022**

Messages From the House: **Page 23029**

Measures Placed on Calendar: **Page 23030**

Additional Cosponsors: **Page 23030**

Statements on Introduced Bills/Resolutions: **Page 23030**

Amendments Submitted: **Page 23034**

Record Votes: Four record votes were taken today. (Total—209) **Pages 22950, 22959, 22966, 22969**

Adjournment: Senate convened at 10 a.m., and adjourned at 8:43 p.m., until 10:30 a.m., on Sunday, October 10, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 23053.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 7 public bills, H.R. 5353–5359; and 4 resolutions, H. Con. Res. 518–520 and H. Res. 852, were introduced. **Page 22937**

Additional Cosponsors: **Page 22938**

Reports Filed: Reports were filed today as follows:

Conference report on H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005 (H. Rept. 108–773); and

Conference report on H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005 (H. Rept. 108–774). **Pages 22804, 22878, 22937**

Chaplain: The prayer was offered by Rev. Stephen J. Rossetti, President, St. Luke Institute of Silver Spring, Maryland. **Page 22803**

Military Construction Appropriations Act, 2005—Conference Report: The House agreed to the conference report to accompany H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, by a yea-and-nay vote of 374 yeas with none voting "nay", Roll No. 529. **Pages 22865, 22929**

The conference report was considered under a unanimous consent agreement. **Page 22865**

Department of Homeland Security Appropriations Act for Fiscal Year 2005: The House agreed to the conference report to accompany H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, by a yea-and-nay vote of 368 yeas to with none voting nay, Roll No. 530. **Pages 22915, 22929**

The conference report was considered under a unanimous consent agreement. **Page 22915**

National Defense Authorization Act for Fiscal Year 2005—Conference Report: The House passed the conference report to accompany H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, by a yea-and-nay vote of 359 yeas to 14 nays, Roll No. 528. **Page 22928**

H. Res. 843, providing for consideration of the conference report, was agreed yesterday, October 8.

Conditional Adjournment of the House and Senate: The House agreed to H. Con. Res. 518, providing for a conditional adjournment of the House and a conditional adjournment or recess of the Senate, by a yea-and-nay vote of 204 yeas to 169 nays, Roll No. 527. **Page 22927**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Wednesday, October 13, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 518, in which case the House shall stand adjourned pursuant to that concurrent resolution. **Page 22930**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, November 17. **Page 22930**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Wolf, or if not available to perform this duty, Representative Tom Davis of Virginia to act as Speaker pro tempore to sign enrolled bills and joint resolutions through November 16. **Page 22930**

Senate Message: Message received from the Senate today appears on page 22936.

Senate Referrals: S. 2486 was referred to the Committee on Veterans' Affairs; and S. 2965 was referred to the Committee on Agriculture.

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of today and appear on pages 22927–22930. There were no quorum calls.

Adjournment: The House met at 12 noon and at 3:59 p.m., pursuant to the provisions of H. Con. Res. 518, stands adjourned until 2 p.m. on Wednesday, October 13, unless it sooner has received a message from the Senate transmitting its adoption of the concurrent resolution, in which case the House shall stand adjourned until 2 p.m. on Tuesday, November 16, 2004.

Committee Meetings

No committee meetings were held.

Joint Meetings

NATIONAL DEFENSE AUTHORIZATION ACT

Conferees on October 8, 2004, agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces.

MISCELLANEOUS TRADE AND TECHNICAL CORRECTIONS ACT

Conferees on October 8, 2004, agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 1047, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws.

APPROPRIATIONS: MILITARY CONSTRUCTION

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005.

APPROPRIATIONS: HOMELAND SECURITY

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005.

Sunday, October 10, 2004

Senate

Chamber Action

Routine Proceedings, pages 23055–23239

Measures Introduced: Two bills and nine resolutions were introduced, as follows: S. 2974–2975, and S. Res. 455–463. **Page 23137**

Measures Passed:

Red Ribbon Week: Senate agreed to S. Res. 455, supporting the goals of Red Ribbon Week. **Pages 23055, 23056**

Lights On Afterschool! Day: Senate agreed to S. Res. 456, designating October 14, 2004, as "Lights on Afterschool! Day". **Pages 23055, 23056**

National Childhood Lead Poisoning Prevention Week: Senate agreed to S. Res. 457, designating the week of October 24, 2004, through October 30, 2004, as "National Childhood Lead Poisoning Prevention Week". **Pages 23055, 23056**

Congratulating SpaceShipOne Teams: Senate agreed to S. Res. 458, congratulating the SpaceShipOne teams for achieving a historic milestone in human space flight. **Pages 23055, 23057**

American Music Month: Senate agreed to S. Res. 459, designating November 2004 as "American Music Month" to celebrate and honor music performance, education, and scholarship in the United States. **Pages 23055, 23057**

16th Street Bombing: Senate agreed to S. Res. 460, honoring the young victims of the Sixteenth Street Baptist Church bombing, recognizing the historical significance of the tragic event, and commending the efforts of law enforcement personnel to bring the perpetrators of this crime to justice on the occasion of its 40th anniversary. **Pages 23055, 23060**

National Character Counts Week: Senate agreed to S. Res. 461, designating the week beginning October 17, 2004, as "National Character Counts Week". **Pages 23055, 23058**

Afghanistan Presidential Elections: Senate agreed to S. Res. 462, recognizing the significant achievements of the people and Government of Afghanistan since the Emergency Loya Jirga was held in June 2002 in establishing the foundation and means to hold presidential elections on October 9, 2004. **Pages 23055, 23059**

Printing Authority: Senate agreed to S. Res. 463, authorizing the printing of a revised edition of the Senate Rules and Manual. **Page 23061**

Prostate Cancer Information: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 389, expressing the sense of the Senate with respect to prostate cancer information, and the resolution was then agreed to. **Pages 23061, 23062**

National Visiting Nurse Association Week: Committee on the Judiciary was discharged from further consideration of S. Con. Res. 8, expressing the sense of Congress that there should be established a National Visiting Nurse Association Week, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto: **Pages 23061, 23062**

Frist (for Collins/Feingold) Amendment No. 4050, in the nature of a substitute. **Pages 23061, 23062**

Frist (for Collins/Feingold) Amendment No. 4051, to amend the preamble. **Pages 23061, 23062**

Frist (for Collins/Feingold) Amendment No. 4052, to amend the title. **Pages 23061, 23062**

National Runaway Prevention Month: Committee on the Judiciary was discharged from further consideration of S. Res. 430, designating November 2004 as "National Runaway Prevention Month", and the resolution was then agreed to. **Pages 23061, 23062**

Honoring Military Families: Committee on Armed Services was discharged from further consideration of H. Con. Res. 486, recognizing and honoring military unit family support volunteers for their dedicated service to the United States, the Armed Forces, and members of the Armed Forces and their families, and the resolution was then agreed to. **Pages 23061, 23063**

Patriot Day: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H. Con. Res. 473, expressing the sense of Congress that it is appropriate to annually observe Patriot Day, September 11, with voluntary acts of service and compassion, and the resolution was then agreed to. **Pages 23061, 23063**

Special Olympics Sport and Empowerment Act: Senate passed H.R. 5131, to provide assistance to Special Olympics to support expansion of Special Olympics and development of education programs and a Healthy Athletes Program, clearing the measure for the President. **Page 23063**

Columbia Memorial Space Science Learning Center: Senate passed H.J. Res. 57, expressing the sense of the Congress in recognition of the contributions of the seven Columbia astronauts by supporting establishment of a Columbia Memorial Space Science Learning Center, clearing the measure for the President. **Page 23063**

Adjournment Resolution: Senate agreed to H. Con. Res. 518, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page 23114**

FDA Tobacco Products Authority: Senate passed S. 2974, to protect the public health by providing the Food

and Drug Administration with certain authority to regulate tobacco products. Page 23114

Overtime Compensation: Senate passed S. 2975, to amend the Fair Labor Standards Act of 1938 to clarify regulations relating to overtime compensation. Page 23131

Lieutenant John F. Finn Post Office: Committee on Governmental Affairs was discharged from further consideration of S. 2693, to designate the facility of the United States Postal Service located at 1475 Western Avenue, Suite 45, in Albany, New York, as the "Lieutenant John F. Finn Post Office", and the bill was then passed. Page 23174

Sergeant Riayan A. Tejeda Post Office: Committee on Governmental Affairs was discharged from further consideration of S. 2839, to designate the facility of the United States Postal Service located at 555 West 180th Street in New York, New York, as the "Sergeant Riayan A. Tejeda Post Office", and the bill was then passed. Page 23174

Eva Holtzman Post Office: Committee on Governmental Affairs was discharged from further consideration of H.R. 5039, to designate the facility of the United States Postal Service located at United States Route 1 in Ridgeway, North Carolina, as the "Eva Holtzman Post Office", and the bill was then passed, clearing the measure for the President. Page 23174

Harvey and Bernice Jones Post Office Building: Committee on Governmental Affairs was discharged from further consideration of H.R. 4381, to designate the facility of the United States Postal Service located at 2811 Springdale Avenue in Springdale, Arkansas, as the "Harvey and Bernice Jones Post Office Building", and the bill was then passed, clearing the measure for the President. Page 23174

General William Carey Lee Post Office Building: Committee on Governmental Affairs was discharged from further consideration of H.R. 4556, to designate the facility of the United States Postal Service located at 1115 South Clinton Avenue in Dunn, North Carolina, as the "General William Carey Lee Post Office Building", and the bill was then passed, clearing the measure for the President. Page 23174

Anthony I. Lombardi Memorial Post Office Building: Committee on Governmental Affairs was discharged from further consideration of H.R. 4618, to designate the facility of the United States Postal Service located at 10 West Prospect Street in Nanuet, New York, as the "Anthony I. Lombardi Memorial Post Office Building", and the bill was then passed, clearing the measure for the President. Page 23174

Archie Spigner Post Office Building: Committee on Governmental Affairs was discharged from further consideration of H.R. 4632, to designate the facility of the United States Postal Service located at 19504 Linden Boulevard in St. Albans, New York, as the "Archie Spigner Post Office Building", and the bill was then passed, clearing the measure for the President. Page 23174

Sergeant Riayan A. Tejeda Post Office: Senate passed H.R. 4046, to designate the facility of the United States Postal Service located at 555 West 180th Street in New York, New York, as the "Sergeant Riayan A. Tejeda Post Office", clearing the message for the President. Page 23174

Specialist Eric Ramirez Post Office: Senate passed H.R. 5027, to designate the facility of the United States Postal Service located at 411 Midway Avenue in Mascotte, Florida, as the "Specialist Eric Ramirez Post Office", clearing the measure for the President. Page 23174

Martha Pennino Post Office Building: Senate passed H.R. 5133, to designate the facility of the United States Postal Service located at 11110 Sunset Hills Road in Reston, Virginia, as the "Martha Pennino Post Office Building", clearing the measure for the President. Page 23174

Evan Asa Ashcraft Post Office Building: Senate passed H.R. 5147, to designate the facility of the United States Postal Service located at 23055 Sherman Way in West Hills, California, as the "Evan Asa Ashcraft Post Office Building", clearing the measure for the President. Page 23174

Leonard C. Burch Post Office Building: Senate passed H.R. 5051, to designate the facility of the United States Postal Service located at 1001 Williams Street in Ignacio, Colorado, as the "Leonard C. Burch Post Office Building", clearing the measure for the President. Page 23174

Arizona Water Settlements Act: Senate passed S. 437, to provide for adjustments to the Central Arizona Project in Arizona, to authorize the Gila River Indian Community water rights settlement, to reauthorize and amend the Southern Arizona Water Rights Settlement Act of 1982, after agreeing to the committee amendment in the nature of a substitute, after agreeing to the following amendment proposed thereto: Page 23175

Frist (for Kyl) Amendment No. 3730, to make certain revisions to the bill. Page 23222

Upper White Salmon Wild and Scenic Rivers Act: Senate passed S. 1614, to designate a portion of White Salmon River as a component of the National Wild and Scenic Rivers System, after agreeing to the committee amendment in the nature of a substitute. Page 23222

Uintah Research and Curatorial Center Act: Senate passed S. 1678, to provide for the establishment of the Uintah Research and Curatorial Center for Dinosaur National Monument in the States of Colorado and Utah,

after agreeing to the committee amendment in the nature of a substitute. Page 23222

Benjamin Franklin National Memorial Assistance: Senate passed S. 1852, to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin, after agreeing to the committee amendment in the nature of a substitute. Page 23223

New Jersey Coastal Heritage Trail Route Authorization: Senate passed S. 2142, to authorize appropriations for the New Jersey Coastal Heritage Trail Route. Page 23223

Rocky Mountain National Park Boundary Adjustment: Senate passed S. 2181, to adjust the boundary of Rocky Mountain National Park in the State of Colorado, after agreeing to the committee amendment. Page 23224

Caribbean National Forest Act: Senate passed S. 2334, to designate certain National Forest System land in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System. Page 23224

Montana National Forests Boundary Adjustment Act: Senate passed S. 2408, to adjust the boundaries of the Helena, Lolo, and Beaverhead-Deerlodge National Forests in the State of Montana, after agreeing to the committee amendment in the nature of a substitute. Page 23224

Redwood National Park Boundary Adjustment Act: Senate passed S. 2567, to adjust the boundary of Redwood National Park in the State of California. Page 23225

Pecos National Historical Park Exchange Act: Senate passed S. 2622, to provide for the exchange of certain Federal land in the Santa Fe National Forest and certain non-Federal land in the Pecos National Historical Park in the State of New Mexico, after agreeing to the committee amendment in the nature of a substitute. Page 23225

Fort Frederica National Monument Land Exchange: Senate passed H.R. 1113, to authorize an exchange of land at Fort Frederica National Monument, after agreeing to the committee amendment. Page 23227

California Missions Preservation Act: Senate passed H.R. 1446, to support the efforts of the California Missions Foundation to restore and repair the Spanish colonial and mission-era missions in the State of California and to preserve the artworks and artifacts of these missions, after agreeing to the committee amendment in the nature of a substitute. Page 23227

Highlands Conservation Act: Senate passed H.R. 1964, to assist the States of Connecticut, New Jersey, New York, and Pennsylvania in conserving priority lands and natural resources in the Highlands region, after agreeing to the committee amendment in the nature of a substitute. Page 23228

House Members Voting Rights: Senate passed H.R. 2010, to protect the voting rights of members of the Armed Services in elections for the Delegate representing American Samoa in the United States House of Representatives, clearing the measure for the President. Page 23230

John Muir National Historic Site Boundary Adjustment Act: Senate passed H.R. 3706, to adjust the boundary of the John Muir National Historic Site, clearing the measure for the President. Page 23231

DOE High-End Computing Revitalization Act: Senate passed H.R. 4516, to require the Secretary of Energy to carry out a program of research and development to advance high-end computing, after agreeing to the committee amendment in the nature of a substitute, after agreeing to the following amendment proposed thereto: Page 23231

Frist (for Alexander) Amendment No. 4053, in the nature of a substitute. Page 23233

Chickasaw National Recreation Area Land Exchange Act of 2004: Senate passed H.R. 4066, to provide for the conveyance of certain land to the United States and to revise the boundary of Chickasaw National Recreation Area, Oklahoma, clearing the measure for the President. Page 23233

Provo River Project Transfer Act: Senate passed H.R. 3391, to authorize the Secretary of the Interior to convey certain lands and facilities of the Provo River Project; clearing the measure for the President. Page 23234

Brown Tree Snake Control and Eradication Act: Senate passed H.R. 3479, to provide for the control and eradication of the brown tree snake on the island of Guam and the prevention of the introduction of the brown tree snake to other areas of the United States, clearing the measure for the President. Page 23234

Lincoln County Conservation, Recreation, and Development Act: Senate passed H.R. 4593, to establish wilderness areas, promote conservation, improve public land, and provide for the high quality development in Lincoln County, Nevada, after agreeing to the following amendment proposed thereto: Page 23234

Frist (for Ensign) Amendment No. 4054, in the nature of a substitute. Page 23234

Colorado Canyons National Conservation Area and Black Ridge Canyons Wilderness Act of 2000 Amendment Act: Senate passed H.R. 4827, to amend the Colorado Canyons National Conservation Area and Black Ridge Canyons Wilderness Act of 2000 to rename the Colorado Canyons National Conservation Area as the McInnis Canyons National Conservation Area, clearing the measure for the President. Page 23234

Petrified Forest National Park Expansion Act: Senate passed H.R. 1630, to revise the boundary of the Petrified Forest National Park in the State of Arizona, after agreeing to the following amendment proposed thereto:

Page 23234

Frist (for Domenici) Amendment No. 4055, to make a technical correction. **Page 23234**

Truman Farm Home Expansion Act: Senate passed H.R. 4579, to modify the boundary of the Harry S Truman National Historic Site in the State of Missouri, clearing the measure for the President. **Page 23234**

Lewis and Clark National Historical Park Designation Act: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 3819, to redesignate Fort Clatsop National Memorial as the Lewis and Clark National Historical Park, to include in the park sites in the State of Washington as well as the State of Oregon, and the bill was then passed, clearing the measure for the President. **Page 23234**

Alaska Land Transfer Acceleration Act: Committee on Energy and Natural Resources was discharged from further consideration of S. 1466, to facilitate the transfer of land in the State of Alaska, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 23234**

Frist (for Domenici) Amendment No. 4056, in the nature of a substitute. **Page 23234**

Wilson's Creek National Battlefield Boundary Adjustment Act: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 4481, to amend Public Law 86–434 establishing Wilson's Creek National Battlefield in the State of Missouri to expand the boundaries of the park, and the bill was then passed, clearing the measure for the President.

Page 23234

Organic Act of Guam Amendment: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 2400, to amend the Organic Act of Guam for the purposes of clarifying the local judicial structure of Guam, and the bill was then passed, clearing the measure for the President. **Page 23234**

Ponce de Leon Discovery of Florida Quincentennial Commission Act: Committee on Energy and Natural Resources was discharged from further consideration of S. 2656, to establish a National Commission on the Quincentennial of the discovery of Florida by Ponce de Leon, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 23234**

Frist (for Bingaman) Amendment No. 4057, in the nature of a substitute. **Page 23234**

Upper Connecticut River Partnership Act: Committee on Energy and Natural Resources was discharged from further consideration of S. 1433, to authorize the Secretary of the Interior to provide assistance in implementing cultural heritage, conservation, and recreational activities in the Connecticut River watershed of the States of New Hampshire and Vermont, and the bill was then passed. **Page 23234**

World Year of Physics: Senate agreed to S. Con. Res. 121, supporting the goals and ideals of the World Year of Physics. **Page 23235**

Printing Authority: Senate concurred in the amendment of the House to S. Con. Res. 135, authorizing the printing of a commemorative document in memory of the late President of the United States, Ronald Wilson Reagan.

Page 23063

Global Anti-Semitism Review Act: Senate concurred in the amendments of the House to S. 2292, to require a report on acts of anti-Semitism around the world, clearing the measure for the President. **Page 23174**

Hibben Center Act: Senate concurred in the amendment of the House to S. 643, to authorize the Secretary of the Interior, in cooperation with the University of New Mexico, to construct and occupy a portion of the Hibben Center for Archaeological Research at the University of New Mexico, clearing the measure for the President.

Page 23235

Noxious Weed Control Act: Senate concurred in the amendments of the House to S. 144, to require the Secretary of Agriculture to establish a program to provide assistance to eligible weed management entities to control or eradicate noxious weeds on public and private land, clearing the measure for the President. **Page 23236**

American Jobs Creation Act—Conference Report: Senate continued consideration of the conference report to accompany H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad. **Page 23063**

During consideration of this measure today, Senate also took the following action:

By 66 yeas to 14 nays, 1 responding present (Vote No. 210), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to close further debate on the conference report. **Page 23083**

A unanimous-consent agreement was reached providing that at 12 noon on Monday, October 11, 2004, Senate proceed to vote on adoption of the conference report.

Pages 23114, 23237

Military Construction Appropriations Conference Report—Agreement: A unanimous-consent agreement was reached providing for consideration of the conference report to accompany H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005; that the scheduled cloture vote be vitiated, and the Senate then proceed im-

mediately to a vote on adoption of the conference report; provided further, that the Senate then immediately proceed to a concurrent resolution, relating to the enrollment of that measure, and the resolution then be agreed to; provided further, that following that vote, the Senate proceed to a vote on adoption of a Senate resolution regarding the instruction of conferees. **Page 23114**

Homeland Security Appropriations Conference Report—Agreement: A unanimous-consent agreement was reached providing for further consideration of the conference report to accompany H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005; provided further, that the scheduled cloture vote be vitiated and the Senate then vote on adoption of the conference report. **Page 23114**

National Intelligence Reform Act—Agreement: A unanimous-consent agreement was reached providing that when the Senate receives from the House a message regarding S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, the Senate disagree to the amendment from the House, agree to the request for a conference if one is requested, and the Chair be authorized to appoint conferees on the part of the Senate. **Page 23114**

Sense of the Senate Resolution—Agreement: A unanimous-consent agreement was reached providing for Senator Boxer to be recognized for up to 30 minutes and that at that time, a sense of the Senate resolution submitted by Senator Boxer be considered and adopted. **Page 23173**

Treaty Approved: The following treaty, which was discharged from the Committee on Foreign Relations, having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present and having voted in the affirmative, the resolution of ratification was agreed to:

2nd Protocol Amending Tax Convention with Barbados (Treaty Doc. 108–26). **Page 23173**

Nominations Confirmed: Senate confirmed the following nomination:

Richard Greco, Jr., of New York, to be an Assistant Secretary of the Navy. **Pages 23173, 23239**

Nominations: Discharged: The following nomination was discharged from further committee consideration and placed on the Executive Calendar:

J. Russell George, of Virginia, to be Inspector General for Tax Administration, Department of the Treasury, which was sent to the Senate on November 19, 2003, from the Senate Committee on Governmental Affairs.

Additional Cosponsors: **Page 23137**

Statements on Introduced Bills/Resolutions: **Page 23138**

Amendments Submitted: **Page 23157**

Record Votes: One record vote was taken today. (Total—210) **Page 23083**

Adjournment: Senate convened at 10:30 a.m., and adjourned at 9:20 p.m., until 10 a.m., on Monday, October 11, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 23237.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today.

Committee Meetings

No committee meetings were held.

♦♦♦♦♦♦♦♦♦♦♦♦

Monday, October 11, 2004

Senate

Chamber Action

Routine Proceedings, pages 23260–23409

Measures Introduced: Four bills and five resolutions were introduced, as follows: S. 2976–2979, S. Res. 464–467, and S. Con. Res. 144. **Page 23379**

Measures Reported:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2005". (S. Rept. No. 108–398)

S. 480, to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996. (S. Rept. No. 108–399)

S. 2280, to establish a coordinated national ocean exploration program within the National Oceanic and Atmospheric Administration. (S. Rept. No. 108–400)

S. 2488, to establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities. (S. Rept. No. 108–401)

S. 2489, to establish a program within the National Oceanic and Atmospheric Administration to integrate Federal coastal and ocean mapping activities, with an amendment in the nature of a substitute. (S. Rept. No. 108–402) Page 23378

Measures Passed:

Guardsmen and Reservists Financial Relief Act: Pursuant to the order of October 10, 2004, Committee on Finance was discharged from further consideration of H.R. 1779, to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from retirement plans during the period that a military reservist or national guardsman is called to active duty for an extended period, and the bill was then passed, after striking all after the enacting clause, and agreeing to the following amendment proposed thereto: Page 23292

Landrieu Amendment No. 4061, in the nature of a substitute. Page 23292

Refundable Tax Credits: Senate agreed to S. Res. 464, relating to refundable tax credits for municipalities. Page 23292

Enrollment Correction: Senate agreed to S. Con. Res. 144, to correct the enrollment of H.R. 4837. Page 23299

Instructing Conferees: Senate agreed to S. Res. 465, to instruct conferees to the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill, 2005 or on a consolidated appropriations measure that includes the substance of that Act. Page 23299

Homeownership Opportunities for Native Americans Act: Committee on Indian Affairs was discharged from further consideration of S. 2571, to clarify the loan guarantee authority under title VI of the Native American Housing Assistance and Self-Determination Act of 1996, and the bill was then passed. Page 23322

Homeownership Opportunities for Native Americans Act: Committee on Indian Affairs was discharged from further consideration of H.R. 4471, to clarify the loan guarantee authority under title VI of the Native American Housing Assistance and Self-Determination Act of 1996, and the bill was then passed, clearing the measure for the President. Page 23322

Unaccompanied Alien Child Protection Act: Senate passed S. 1129, to provide for the protection of unaccompanied alien children, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: Page 23323

Sessions (for Feinstein) Amendment No. 4058, in the nature of a substitute. Page 23332

Controlled Substances Act Amendment: Senate passed S. 2976, to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices. Page 23332

2004 District of Columbia Omnibus Authorization Act: Committee on Governmental Affairs was discharged from further consideration of H.R. 3797, to authorize improvements in the operations of the government of the District of Columbia, and the bill was then passed, clearing the measure for the President. Page 23340

Intelligence Authorization Act for Fiscal Year 2005: Senate passed S. 2386, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, after agreeing to the Armed Services Committee amendments, and the following amendments proposed thereto: Page 23340

Sessions (for Roberts/Rockefeller) Amendment No. 4059, to strike section 306, relating to a repeal of the limitation on the length of service as a member of the Select Committee on Intelligence of the Senate. Page 23343

Sessions (for Roberts/Rockefeller) Amendment No. 4060, to improve the bill. Page 23343

Immigration and Nationality Act Amendment: Senate passed H.R. 4306, to amend section 274A of the Immigration and Nationality Act to improve the process for verifying an individual's eligibility for employment, clearing the measure for the President. Page 23344

JFK Center for the Performing Arts Authorization: Senate passed H.R. 5294, to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, clearing the measure for the President. Page 23344

Physician Access Improvement: Senate passed S. 2302, to improve access to physicians in medically underserved areas, after agreeing to the committee amendment in the nature of a substitute. Page 23344

International Polar Years/International Geophysical Year: Senate agreed to S. Res. 466, celebrating the anniversaries of the International Polar Years (1882–1883 and 1932–1933) and International Geophysical Year (1957–1958) and supporting a continuation of this international science year tradition in 2007–2008. Page 23398

Honoring United Flight 93 Passengers and Crew: Committee on Rules and Administration was discharged from further consideration of S. Con. Res. 136, honoring and memorializing the passengers and crew of United Airlines Flight 93, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: Page 23399

Frist (for Conrad) Amendment No. 4062, to improve the language relating to the memorial. Page 23399

American Veterans Disabled for Life Commemorative Coin Act: Senate passed S. 1379, to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life serving in the Armed Forces of the United States, after agreeing to the committee amendment in the nature of a substitute. Page 23399

Asthmatic Schoolchildren's Treatment and Health Management Act: Senate passed H.R. 2023, to give a preference regarding States that require schools to allow students to self-administer medication to treat that student's asthma or anaphylaxis, clearing the measure for the President. Page 23401

National Estuary Program Authorization: Senate passed H.R. 4731, to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, clearing the measure for the President. Page 23401

Federal Regulatory Improvement Act: Senate passed H.R. 4917, to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States for fiscal years 2005, 2006, and 2007, clearing the measure for the President. Page 23401

National Archives and Records Administration Efficiency Act: Committee on Governmental Affairs was discharged from further consideration of H.R. 3478, to amend title 44, United States Code, to improve the efficiency of operations by the National Archives and Records Administration and to reauthorize the National Historical Publications and Records Commission, and the bill was then passed, clearing the measure for the President. Page 23401

Executive Branch Financial Accountability Reporting Act: Senate passed S. 2688, to provide for a report of Federal entities without annually audited financial statements, after agreeing to the following amendment proposed thereto: Page 23401

Frist (for Fitzgerald) Amendment No. 4063, to make certain revisions to the bill. Page 23401

Long Island Sound Stewardship Act: Committee on Environment and Public Works was discharged from further consideration of S. 2691, to establish the Long Island Sound Stewardship Initiative, and the bill was then passed, after agreeing to the following amendment proposed thereto: Page 23402

Frist (for Lieberman) Amendment No. 4064, in the nature of a substitute. Page 23402

Water Resources Act Authorization: Committee on Environment and Public Works was discharged from further consideration of S. 2847, to reauthorize the Water Resources Act of 1984, and the bill was then passed. Page 23402

John H. Chafee Coast Barrier Boundary Clarification: Committee on Environment and Public Works was discharged from further consideration of H.R. 3056, to clarify the boundaries of the John H. Chafee Coast Barrier Resources System Cedar Keys Unit P25 on Otherwise Protected Area P25P, and the bill was then passed, clearing the measure for the President. Page 23402

Private Relief: Committee on the Judiciary was discharged from further consideration of H.R. 712, for the relief of Richi James Lesley, and the bill was then passed, clearing the measure for the President. Page 23402

Private Relief: Committee on the Judiciary was discharged from further consideration of S. 2042, for the relief of Rocco A. Trecosta of Fort Lauderdale, Florida, and the bill was then passed. Page 23402

Private Relief: Senate passed S. 2331, for the relief of Fereshteh Sani. Page 23403

Private Relief: Senate passed S. 353, for the relief of Denes and Gyorgyi Fulop. Page 23402

Private Relief: Senate passed S. 1042, for the relief of Tchisou Tho. Page 23403

Private Relief: Senate passed S. 2044, for the relief of Alemseghed Mussie Tesfamical. Page 23403

Private Relief: Senate passed S. 2314, for the relief of Nabil Raja Dandan, Ketty Dandan, Souzi Dandan, Raja Nabil Dandan, and Sandra Dandan. Page 23403

Private Relief: Senate passed S. 2012, for the relief of Luay Lufti Hadad. Page 23403

Private Relief: Senate passed H.R. 867, for the relief of Durreshahwar Durreshahwar, Nida Hasan, Asna Hasan, Anum Hasan, and Iqra Hasan, clearing the measure for the President. Page 23404

Private Relief: Senate passed S. 2668, for the relief of Griselda Lopez Negrete. Page 23404

National Tourette Syndrome Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Con. Res. 113, recognizing the importance of early diagnosis, proper treatment, and enhanced public awareness of Tourette Syndrome and supporting the goals and ideals of National Tourette Syndrome Awareness Month, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto: Page 23404

Frist (for Smith) Amendment No. 4065, in the nature of a substitute. Page 23404

Frist (for Smith) Amendment No. 4066, to amend the preamble. Page 23404

Frist (for Smith) Amendment No. 4067, to amend the title. Page 23404

Extending Birthday Greetings: Senate agreed to S. Res. 467, extending birthday greetings to Joseph Barbera on the occasion of his 100th birthday and designating March 2005 as "Animated Family Entertainment Month". Page 23405

Federal Regulatory Improvement Act: Senate passed S. 2979, to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States for fiscal years 2005, 2006, and 2007. **Page 23405**

Land Conveyance: Committee on Agriculture, Nutrition and Forestry was discharged from further consideration of H.R. 3217, to provide for the conveyance of several small parcels of National Forest System land in the Apalachicola National Forest, Florida, to resolve boundary discrepancies involving the Mt. Trial Primitive Baptist Church of Wakulla County, Florida, and the bill was then passed, clearing the measure for the President. **Page 23405**

Commodity Credit Corporation Funds: Committee on Agriculture, Nutrition and Forestry was discharged from further consideration of S. 2856, to limit the transfer of certain Commodity Credit Corporation funds between conservation programs for technical assistance for the programs, and the bill was then passed. **Page 23405**

Intelligence Authorization Act: Select Committee on Intelligence was discharged from further consideration of H.R. 4548, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 2386 (as passed), Senate companion measure, and the bill was then passed. **Page 23406**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Roberts, Hatch, DeWine, Bond, Lott, Snowe, Hagel, Chambliss, Warner, Rockefeller, Levin, Feinstein, Wyden, Durbin, Bayh, Edwards, and Mikulski. **Page 23406**

Agricultural Adjustment Act Amendment: Senate passed H.R. 2984, to amend the Agricultural Adjustment Act to remove the requirement that processors be members of an agency administering a marketing order applicable to pears, clearing the measure for the President. **Page 23407**

American Jobs Creation Act Conference Report: By 69 yeas to 17 nays, 1 responding present (Vote No. 211), Senate agreed to the conference report to accompany H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad, clearing the measure for the President. **Page 23260**

Military Construction Appropriations Conference Report: Pursuant to the order of October 10, 2004, Senate agreed to the conference report to accompany H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, clearing the measure for the President. **Page 23292**

Prior to the adoption of the conference report, Senate vitiated the vote on the motion to invoke cloture thereon. **Page 23299**

Homeland Security Appropriations Conference Report: Pursuant to the order of October 10, 2004, Senate agreed to the conference report to accompany H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, clearing the measure for the President. **Page 23299**

Prior to the adoption of the conference report, Senate vitiated the vote on the motion to invoke cloture thereon. **Page 23299**

IDEA Reauthorization: Pursuant to the order of September 21, 2004, Senate insisted on its amendment to H.R. 1350, to reauthorize the Individuals with Disabilities Education Act, agreed to the House request for a conference, and the Chair was authorized to appoint the following conferees: Senators Gregg, Frist, Enzi, Alexander, Bond, DeWine, Roberts, Sessions, Ensign, Graham (SC), Warner, Kennedy, Dodd, Harkin, Mikulski, Jeffords, Bingaman, Murray, Reed, Edwards, and Clinton. **Page 23302**

Mentally Ill Offender Treatment and Crime Reduction Act: Senate concurred in the amendment of the House to S. 1194, to foster local collaborations which will ensure that resources are effectively and efficiently used within the criminal and juvenile justice systems, clearing the measure for the President. **Page 23332**

Flexible Workforce Flexibility Act: Senate concurred in the amendment of the House to S. 129, to provide for reform relating to Federal employment, clearing the measure for the President. **Page 23336**

Nomination—Agreement: A unanimous-consent agreement was reached providing that on Tuesday, November 16, 2004, at 2:15 p.m., Senate begin consideration of the nomination of Francis J. Harvey, of California, to be Secretary of the Army, with two hours for debate, followed by a vote on confirmation of the nomination. **Page 23396**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, Senators Sessions and Warner, be authorized to sign duly enrolled bills or joint resolutions. **Page 23407**

Authority for Committees—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, all committees were authorized to file legislative and executive matters

on Wednesday, November 10, 2004, from 10 a.m. until 12 noon. Page 23407

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President of the Senate Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. Page 23407

Nominations—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the adjournment of the Senate, all nominations remain in status quo. Page 23407

National Intelligence Reform Act—Conferees: Pursuant to the order of October 10, 2004, the Chair was authorized to appoint the following conferees on the part of the Senate to S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government: Senators Collins, Lott, DeWine, Roberts, Voinovich, Sununu, Coleman, Lieberman, Levin, Durbin, Rockefeller, Graham (FL), and Lautenberg. Page 23408

Nominations Confirmed: Senate confirmed the following nominations:

7 Coast Guard nominations in the rank of admiral. Routine lists in the Coast Guard, Public Health Service. Pages 23398, 23409

Nominations Discharged: The following nominations were discharged from further committee consideration and placed on the Executive Calendar:

Milton Aponte, of Florida, to be a Member of the National Council On Disability for a term expiring September 17, 2006. (Reappointment), which was sent to the Senate on May 20, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Dan Arvizu, of Colorado, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010, which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Steven C. Beering, of Indiana, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010. (Reappointment), which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Gerald Wayne Clough, of Georgia, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010, which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Kelvin Kay Droegemeier, of Oklahoma, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010, which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Louis J. Lanzerotti, of New Jersey, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010, which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Alan I. Leshner, of Maryland, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010, which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Jon C. Strauss, of California, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010, which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Kathryn D. Sullivan, of Ohio, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010, which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Gregory E. Jackson, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years, which was sent to the Senate on September 25, 2003, from the Senate Committee on Governmental Affairs.

Anna Escobedo Cabral, of Virginia, to be Treasurer of the United States, which was sent to the Senate on July 22, 2004, from the Senate Committee on Finance. Pages 23379, 23396

Additional Cosponsors: Page 23379

Statements on Introduced Bills/Resolutions: Page 23379

Additional Statements: Page 23377

Amendments Submitted: Page 23386

Record Votes: One record vote was taken today. (Total—211) Page 23292

Adjournment: Senate convened at 10 a.m., and, in accordance with the provisions of H. Con. Res. 518, adjourned at 6:58 p.m., until 12 noon, on Tuesday, November 16, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 23408.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today.

Committee Meetings

No committee meetings were held.

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Tuesday, November 16, 2004

Senate

Chamber Action

Routine Proceedings, pages 23515–78

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 2980–2987, S. Res. 469, and S. Con. Res. 145. **Page 23558**

Measures Reported: Reported on Wednesday, November 10, during the adjournment:

S. 297, to provide reforms and resources to the Bureau of Indian Affairs to improve the Federal acknowledgement process, with an amendment in the nature of a substitute. (S. Rept. No. 108–403)

S. 519, to establish a Native American-owned financial entity to provide financial services to Indian tribes, Native American organizations, and Native Americans, with an amendment in the nature of a substitute. (S. Rept. No. 108–404)

S. 702, to amend the Native Hawaiian Health Care Improvement Act to revise and extend that Act. (S. Rept. No. 108–405)

Report to accompany S. 2843, to make technical corrections to laws relating to Native Americans. (S. Rept. No. 108–406)

S. 2647, to establish a national ocean policy, to set forth the missions of the National Oceanic and Atmospheric Administration, to ensure effective interagency coordination, with an amendment in the nature of a substitute. (S. Rept. No. 108–407)

S. 2275, to amend the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) to provide for homeland security assistance for high-risk nonprofit organizations, with amendments. (S. Rept. No. 108–408)

S. 1798, to provide for comprehensive fire safety standards for upholstered furniture, mattresses, bedclothing, and candles, with an amendment in the nature of a substitute.

Reported on today:

S. 593, to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred, with an amendment in the nature of a substitute. (S. Rept. No. 108–409)

S. 2409, to provide for continued health benefits coverage for certain Federal employees, with an amendment. (S. Rept. No. 108–410)

S. 556, to amend the Indian Health Care Improvement Act to revise and extend that Act, with an amendment in the nature of a substitute. (S. Rept. No. 108–411)

S. 1696, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, with an amendment in the nature of a substitute. (S. Rept. No. 108–412)

S. 1715, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, with amendments. (S. Rept. No. 108–413) **Page 23558**

Measures Passed:

Children's Hospitals Educational Equity and Research Act: Senate passed S. 2526, to reauthorize the Children's Hospitals Graduate Medical Education Program, after agreeing to the committee amendment in the nature of a substitute. **Page 23566**

State High Risk Pool Funding Extension Act: Committee on Health, Education, Labor and Pensions was discharged from further consideration of S. 2283, to extend Federal funding for operation of State high risk health insurance pools, and the bill was then passed. **Page 23567**

Coastal and Ocean Mapping Integration Act: Senate passed S. 2489, to establish a program within the National Oceanic and Atmospheric Administration to integrate Federal coastal and ocean mapping activities, after agreeing to the committee amendment in the nature of a substitute. **Page 23568**

Research Review Act: Senate passed H.R. 5213, to expand research information regarding multidisciplinary research projects and epidemiological studies, clearing the measure for the President. **Page 23571**

National Ocean Exploration Program Act: Senate passed S. 2280, to establish a coordinated national ocean exploration program within the National Oceanic and Atmospheric Administration. **Page 23571**

Commercial Space Transportation Liability: Senate passed H.R. 5245, to extend the liability indemnification regime for the commercial space transportation industry, clearing the measure for the President. **Page 23572**

Norman Y. Mineta Research and Special Programs Reorganization Act: Senate passed H.R. 5163, to amend

title 49, United States Code, to provide the Department of Transportation a more focused research organization with an emphasis on innovative technology, clearing the measure for the President. **Page 23572**

Tijuana River Valley Estuary and Beach Sewage Clean Up Reauthorization: Senate passed H.R. 4794, to amend the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000 to extend the authorization of appropriations, clearing the measure for the President. **Page 23573**

Medicare Cost Sharing Extension: Committee on Finance was discharged from further consideration of S. 2618, to amend title XIX of the Social Security Act to extend medicare cost-sharing for the medicare part B premium for qualifying individuals through September 2005, and the bill was then passed. **Page 23573**

Enrollment Correction: Senate agreed to S. Con. Res. 145, to correct the enrollment of H.R. 1417. **Page 23574**

Debt Limit Extension—Agreement: A unanimous-consent agreement was reached providing that at 2:15 p.m., on Wednesday, November 17, 2004, Senate begin consideration of S. 2986 to amend title 31 of the United States Code to increase the public debt limit. **Page 23573**

National Intelligence Reform Act: On October 16, during the adjournment, Senate disagreed to the amendment of the House to S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, and agreed to House request for a conference, and appointed the following conferees on the part of the Senate: Senators Collins, Lott, DeWine, Roberts, Voinovich, Sununu, Coleman, Lieberman, Levin, Durbin, Rockefeller, Graham (FL), and Lautenberg, pursuant to the orders of October 10 and 11, 2004.

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Mutual Legal Assistance Treaty with Germany (Treaty Doc. No. 108–27).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page 23573**

Nominations Confirmed: Senate confirmed the following nomination:

By 85 yeas 12 nays (Vote No. Ex. 212), Francis J. Harvey, of California, to be Secretary of the Army. **Pages 23518, 23578**

Nominations Received: Senate received the following nominations:

Dallas Tonsager, of South Dakota, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, for a term expiring May 21, 2010.

Michael V. Dunn, of Iowa, to be a Commissioner of the Commodity Futures Trading Commission for the remainder of the term expiring June 19, 2006.

Ernest J. Wilson III of Maryland, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2010. (Reappointment)

Harold Jennings Creel, Jr., of South Carolina, to be a Federal Maritime Commissioner for the term expiring June 30, 2009. (Reappointment)

Jonathan Steven Adelstein, of South Dakota, to be a Member of the Federal Communications Commission for a term expiring June 30, 2008. (Reappointment)

Albert Henry Konetzni, Jr., of New York, to be a Member of the Nuclear Regulatory Commission for a term expiring June 30, 2009.

Raymond Thomas Wagner, Jr., of Missouri, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2009. (Reappointment)

Kenneth Y. Tomlinson, of Virginia, to be Chairman of the Broadcasting Board of Governors. (Reappointment)

Kenneth Y. Tomlinson, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2007. (Reappointment)

Jay T. Snyder, of New York, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2007. (Reappointment)

D. Jeffrey Hirschberg, of Wisconsin, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2007. (Reappointment)

Tony Hammond, of Virginia, to be a Commissioner of the Postal Rate Commission for a term expiring October 14, 2010. (Reappointment)

Louis J. Giuliano, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2009.

Carolyn L. Gallagher, of Texas, to be a Governor of the United States Postal Service for the remainder of the term expiring December 8, 2005.

Sharon Tucker, of Georgia, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2005.

Charles P. Ruch, of South Dakota, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring August 11, 2010.

Edward Alton Parrish, of Virginia, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring April 17, 2008.

Laurie Stenberg Nichols, of South Dakota, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring March 3, 2010.

Mimi Mager, of the District of Columbia, to be a Member of the Board of Directors of the Corporation for

National and Community Service for a term expiring December 27, 2007.

Jacob Joseph Lew, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2008.

Alberto R. Gonzales, of Texas, to be Attorney General.

Patricia Cushwa, of Maryland, to be a Commissioner of the United States Parole Commission for a term of six years.

Jennifer M. Anderson, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Noel Anketell Kramer, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

34 Army nominations in the rank of general.

Routine lists in the Coast Guard, Foreign Service, Marine Corps. Page 23576

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Ann C. Rosenthal, of Iowa, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2003, which was sent to the Senate on June 12, 2003.

Ann C. Rosenthal, of Iowa, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2006 (Reappointment), which was sent to the Senate on June 12, 2003.

Lawrence T. Di Rita, of Michigan, to be an Assistant Secretary of Defense, which was sent to the Senate on November 21, 2003. Page 23578

Messages From the House: Page 23553

Measures Placed on Calendar: Page 23554

Enrolled Bills Presented: Page 23554

Executive Communications: Page 23555

Additional Cosponsors: Page 23558

Statements on Introduced Bills/Resolutions: Page 23561

Additional Statements: Page 23547

Notices of Hearings/Meetings: Page 23565

Authority for Committees to Meet: Page 23566

Privilege of the Floor: Page 23566

Record Votes: One record vote was taken today. (Total—212) Page 23537

Adjournment: Senate convened at 12 noon and adjourned at 6:31 p.m., until 2:15 p.m., on Wednesday, November 17, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 23574.)

Committee Meetings

IRAQ STORAGE SITES

Committee on Armed Services: on Wednesday, November 10, Committee met in closed session to receive a briefing regarding the al Qaqaa munitions storage site in Iraq, an overview of security of munitions storage sites in Iraq, and an update on the status of protective equipment for vehicles and military personnel serving in Iraq from Colonel William M. Caniano, USA, Assistant Director for Intelligence, J–2, Rear Admiral Mark D. Hamitcheck, USN, Vice Director for Logistics, J–4, and Brigadier General David M. Rodriguez, USA, Deputy Director for Regional Operations, J–3.

ARCTIC CLIMATE IMPACT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the research of the National Aeronautics and Space Administration on climate change impacts, focusing on the ice sheets that are Greenland and Antarctica, which store 77% of the Earth's fresh water, after receiving testimony from Ghassem Asrar, Deputy Associate Administrator, Science Mission Directorate, and Drew T. Shindell, Research Physicist, Earth Sciences Directorate, both of the National Aeronautics and Space Administration; Scott Borg, Section Head, Antarctic Sciences Section, Office of Polar Programs, National Science Foundation; Robert W. Corell, University of Alaska Fairbanks, and Susan Joy Hassol, Basalt, Colorado, both on behalf of the Arctic Climate Impact Assessment; Igor Krupnik, Smithsonian Institution, Washington, D.C.; and Mark Serrez, University of Colorado National Snow and Ice Data Center, Boulder.

INSURANCE BROKERAGE PRACTICES

Committee on Governmental Affairs: Subcommittee on Financial Management, the Budget, and International Security concluded an oversight hearing to examine insurance brokerage practices, including potential conflicts of interest and the adequacy of the current regulatory framework, after receiving testimony from New York Attorney General Eliot L. Spitzer, New York; Connecticut Attorney General Richard Blumenthal, Hartford; Gregory Serio, New York Superintendent of Insurance, Albany, on behalf of the National Association of Insurance Commissioners; John Garamendi, California Insurance Commissioner, Sacramento; Albert R. Counselman, Riggs, Counselman, Michaels and Downes, Baltimore, Maryland, on behalf of the Council of Insurance Agents and Brokers; Alex Soto, InSource, Inc., Miami, Florida, on behalf of the Independent Insurance Agents and Brokers of America; Ernst N. Csiszar, Property Casualty Insurers Association of America, and J. Robert Hunter, Consumer Federation of America, both of Washington, D.C.; Janice Ochenkowski, Jones Lang LaSalle, Chicago, Illinois, on behalf of the Risk and Insurance Management Society.

NOMINATIONS:

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Thomas B. Griffith, of Utah, to be United States Circuit Judge for the District of Columbia Circuit, who was introduced by Senators Hatch and Bennett, Paul A. Crotty, to be United States District Judge for the Southern District of New York, who was introduced by Senators Schumer and Clinton, and J. Michael Seabright, to be United States District Judge for the District of Hawaii, who was introduced by Senators Inouye and Akaka, after the nominees testified and answered questions in their own behalf.

FLU VACCINE MARKET

Special Committee on Aging: Committee concluded a hearing to examine liability and licensing issues relating to the flu vaccine market, focusing on the ongoing efforts of the Food and Drug Administration to ensure the safety, effectiveness, and availability of influenza and other vaccines licensed in the United States, after receiving testimony from Lester M. Crawford, Acting Commissioner, Food and Drug Administration, and Mitchell L. Cohen, Director, Coordinating Center for Infectious Diseases, Centers for Disease Control and Prevention, both of the Department of Health and Human Services; Peter R. Paradiso, Wyeth Pharmaceuticals, Collegeville, Pennsylvania; and Frank A. Sloan, Duke University Center for Health Policy, Law, and Management, Terry Sanford Institute of Public Policy, Durham, North Carolina.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 5360–5370; 2 private bills, H.R. 5371–5372; and; 4 resolutions, H. Con. Res. 521, and H. Res. 853–855, were introduced. **Page 23640**

Additional Cosponsors: **Page 23641**

Reports Filed: Reports were filed today as follows:

H.R. 3143, to enhance Federal Trade Commission enforcement against cross-border fraud and deception, amended (H. Rept. 108–635, Pt. 2);

Supplemental report on H.R. 10, to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination (H. Rept. 108–724, Pt. 6); and

H.R. 4251, to amend various laws relating to maritime transportation, amended (H. Rept. 108–775); **Page 23640**

Library of Congress Trust Fund Board: The Chair announced the Speaker's appointment of the following individuals to the Library of Congress Trust Fund Board: Mr. Edwin L. Cox of Dallas, Texas (reappointment); and Mr. Anthony Welters of Vienna, Virginia. **Page 23583**

Social Security Advisory Board: The Chair announced the Speaker's reappointment of Mrs. Dorcas R. Hardy of Spotsylvania, Virginia to the Social Security Advisory Board. **Page 23583**

Board of Directors of the Office of Compliance: The Chair announced the joint reappointment by the Speaker and Minority Leader of the House and the Majority and Minority Leaders of the Senate of the following individuals to the Board of Directors of the Office of Compliance: Mr. Alan V. Friedman of Los Angeles, California; Ms. Susan S. Robfogel of Rochester, New York; and Ms. Barbara Childs Wallace of Ridgeland, Mississippi. **Page 23584**

Committee Removal: The Chair announced the Speaker's removal of Representative Blunt from the Permanent Select Committee on Intelligence. **Page 23584**

Committee Appointment: The Chair announced the Speaker's appointment of Representative Boehlert to the Permanent Select Committee on Intelligence. **Page 23584**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Supporting the goals and ideals of Pancreatic Cancer Awareness Month: H. Res. 641, supporting the goals and ideals of Pancreatic Cancer Awareness Month; **Page 23584**

Guardian of Freedom Memorial Post Office Building Designation Act: S. 2640, to designate the facility of the United States Postal Service located at 1050 North Hills Boulevard in Reno, Nevada, as the "Guardians of Freedom Memorial Post Office Building" and to authorize the installation of a plaque at such site—clearing the measure for the President; **Page 23585**

Mike Mansfield Post Office Building Designation Act: S. 2214, to designate the facility of the United States Postal Service located at 3150 Great Northern Avenue in Missoula, Montana, as the "Mike Mansfield Post Office"—clearing the measure for the President; **Page 23586**

Lieutenant John F. Finn Post Office Building Designation Act: S. 2693, to designate the facility of the United States Postal Service located at 1475 Western Avenue, Suite 45, in Albany, New York, as the "Lieutenant John F. Finn Post Office"—clearing the measure for the President; **Page 23587**

Recognizing the 130th anniversary of the creation of lifesaving station on the Great Lakes: H. Res. 750, recognizing the 130th anniversary of the creation of lifesaving stations on the Great Lakes, which became part of the United States Life-Saving Service; and **Page 23588**

Recognizing the 60th anniversary of the Battle of the Bulge during WWII: H.J. Res. 110, recognizing the

60th anniversary of the Battle of the Bulge during World War II, by a 2/3 yea-and-nay vote of 392 yeas with none voting nay, Roll No. 531. Page 23589, 23592

Recess: The House recessed at 3:05 p.m. and reconvened at 6:33 p.m. Page 23592

Foreign Operations Appropriations for FY2005: The House disagreed to the Senate amendment to H.R. 4818, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and agreed to a conference. Page 23593

Appointed as conferees: From the Subcommittee on Foreign Operations, Export Financing, and Related Programs of the Committee on Appropriations, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Representatives Kolbe, Knollenberg, Lewis (CA), Wicker, Bonilla, Vitter, Kirk, Crenshaw, Lowey, Jackson (IL), Kilpatrick, Rothman, and Kaptur. Page 23593

From the Committee on Appropriations, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Representatives Young (FL), Regula, Hobson, Obey, and Visclosky. Page 23593

Senate Messages: Messages received from the Senate today appear on pages 23579 and 23600.

Senate Referrals: S. 353, S. 1042, S. 1129, S. 2012, S. 2044, S. 2314, S. 2331, S. 2668, and S. 2938 were referred to the Committee on the Judiciary; S. 1433, S. 1466, S. 1614, S. 1678, S. 1852, S. 2142, S. 2181, S. 2334, S. 2408, S. 2567, S. 2571, S. 2622, and S. 2847 were referred to the Committee on Resources; S. 1379 was referred to the Committee on Financial Services; S. 2283, S. 2526, and S. 2618 were referred to the Committee on Energy and Commerce; S. 2656, S. 2688, and S. 2693, were referred to the Committee on Government Reform; S. 2856 was referred to the Committee on Agriculture; S. 2691 was referred to the Committees on Resources and Transportation and Infrastructure; S. 2976 was referred to the Committees on Energy and Commerce and the Judiciary; S. Con. Res. 136 was referred to the Committee on Transportation and Infrastructure; and S. 437, S. 2042, S. 2280, S. 2302, S. 2489, S. 2839, S. 2979, S. Con. Res. 8, and S. Con. Res. 121, and S. Con. Res. 145 were held at the desk. Page 23615

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of today and appears on page 23592. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 10:08 p.m.

Committee Meetings

No committee meetings were held.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED EIGHTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 20 through October 31, 2004

	Senate	*House*	*Total*
Days in session	124	102	..
Time in session	966 hrs., 58′	841 hrs., 22′	..
Congressional Record:			
Pages of proceedings	11334	9683	..
Extensions of Remarks	..	1967	..
Public bills enacted into law	60	156	216
Private bills enacted into law	1	3	4
Bills in conference	9	12	..
Measures passed, total	550	685	1,235
Senate bills	163	63	..
House bills	171	319	..
Senate joint resolutions	5	3	..
House joint resolutions	3	8	..
Senate concurrent resolutions	38	12	..
House concurrent resolutions	34	83	..
Simple resolutions	136	197	..
Measures reported, total	*293	*354	647
Senate bills	203	18	..
House bills	62	234	..
Senate joint resolutions	5	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	6	..	..
House concurrent resolutions	2	6	..
Simple resolutions	15	95	..
Special reports	7	4	..
Conference reports	1	11	..
Measures pending on calendar	297	155	..
Measures introduced, total	1,232	2,226	3,458
Bills	974	1,660	..
Joint resolutions	15	27	..
Concurrent resolutions	58	172	..
Simple resolutions	185	367	..
Quorum calls	1	1	..
Yea-and-nay votes	211	301	..
Recorded votes	..	228	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 182 reports have been filed in the Senate, a total of 369 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 20 through October 31, 2004

Civilian nominations, totaling 505 (including 195 nominations carried over from the First Session), disposed of as follows:

Confirmed	165
Unconfirmed	317
Withdrawn	20
Returned to White House	3

Other Civilian nominations, totaling 3,514 (including 5 nominations carried over from the First Session), disposed of as follows:

Confirmed	3,003
Unconfirmed	510
Withdrawn	1

Air Force nominations, totaling 9,649 (including 3,572 nominations carried over from the First Session), disposed of as follows:

Confirmed	5,773
Unconfirmed	3,874
Withdrawn	2

Army nominations, totaling 5,883 (including 594 nominations carried over the First Session), disposed of as follows:

Confirmed	5,823
Unconfirmed	60

Navy nominations, totaling 9,819 (including 2,444 nominations carried over from the First Session), disposed of as follows:

Confirmed	9,346
Unconfirmed	473

Marine Corps nominations, totaling 1,227 (including 2 nominations carried over from the First Session), disposed of as follows:

Confirmed	1,225
Unconfirmed	2

Summary

Total nominations carried over from the First Session	6,812
Total nominations received this Session	23,785
Total confirmed	25,335
Total unconfirmed	5,236
Total withdrawn	23
Total Returned to the White House	3

Wednesday, November 17, 2004

Senate

Chamber Action

Routine Proceedings, pages 23685–23727

Measures Introduced: Seven bills and one resolution were introduced, as follows: S. 2988–2994, and S. Con. Res. 146. **Page 23717**

Measures Reported: S. 1905, to provide habitable living quarters for teachers, administrators, other school staff, and their households in rural areas of Alaska located in or near Alaska Native Villages, with an amendment in the nature of a substitute. (S. Rept. No. 108–414) **Page 23716**

Measures Passed:

Enrollment Correction: Senate agreed to S. Con. Res. 146, to direct the Secretary of the Senate to make corrections in the enrollment of the bill S. 150. **Page 23685**

Debt Limit Extension: By 52 yeas to 44 nays (Vote No. 213), Senate passed S. 2986 to amend title 31 of the United States Code to increase the public debt limit. **Pages 23685, 23686**

New Shipper Review Amendment Act: Senate passed S. 2991, to suspend temporarily new shipper bonding privileges. **Page 23723**

Miscellaneous Trade and Technical Corrections Act—Conference Report: Senate agreed to the motion to proceed to the consideration of the conference report to accompany H.R. 1047, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws. **Page 23723**

A motion was entered to close further debate on the conference report and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, November 19, 2004. **Page 23723**

Video Voyeurism Prevention Act—Agreement: A unanimous-consent agreement was reached providing that pursuant to the provisions of H. Res. 842, the Senate agree to the request of the House of Representatives regarding the papers relating to S. 1301, to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States. **Page 23686**

Foreign Operations Appropriations Act Conferees—Agreement: A unanimous-consent agreement was reached providing that with respect to H.R. 4818, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, Senator Cochran be inserted in lieu of Senator Specter as a conferee. **Page 23723**

Messages from the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, the Agreement between the United States of America and Japan on Social Security; which was referred to the Committee on Finance. (PM–96) **Page 23713**

Transmitting, pursuant to law, a report relative to the nonsuitability of the Squirrel River in Alaska as an addition to the National Wild and Scenic Rivers System; which was referred to the Committee on Energy and Natural Resources. (PM–97) **Page 23714**

Treaty Approved: Committee on Foreign Relations was discharged from further consideration of the following treaty and having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present and having voted in the affirmative, the resolution of ratification was agreed to:

Protocol Amending Tax Convention with the Netherlands Treaty Doc. 108–25 agreed to in Senate by Division Vote. **Page 23723**

Nominations Received: Senate received the following nominations:

A. Wilson Greene, of Virginia, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2009. (Reappointment)

Katina P. Strauch, of South Carolina, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2009.

Army nomination in the rank of general. **Page 23726**

Messages From the House: **Page 23714**

Executive Communications: **Page 23714**

Executive Reports of Committees: **Page 23716**

Additional Cosponsors: **Page 23717**

Statements on Introduced Bills/Resolutions: **Page 23717**

Additional Statements: **Page 23712**

Authority for Committees to Meet: **Page 23723**

Privilege of the Floor: **Page 23723**

Record Votes: One record vote was taken today. (Total—213) **Page 23706**

Adjournment: Senate convened at 2:15 p.m. and adjourned at 6:44 p.m., until 10 a.m., on Thursday, November 18, 2004 (For Senate's program, see the remarks of the Majority Leader in today's Record on page 23726.)

Committee Meetings

IRAQ AND AFGHANISTAN

Committee on Armed Services: Committee received a closed briefing on Iraq and Afghanistan from Paul D. Wolfowitz, Deputy Secretary of Defense; General Peter Pace, USMC, Vice Chairman, Joint Chiefs of Staff; Lieutenant General Lance L. Smith, USAF, Deputy Commander, United States Central Command; John E. McLaughlin, Deputy Director, Central Intelligence; and Ronald L. Schlicher, Deputy Assistant Secretary of State, Coordinator for Iraq, Bureau of Near Eastern Affairs.

NOMINATIONS:

Committee on Armed Services: Committee ordered favorably reported the nominations of Joseph F. Bader, of the District of Columbia, and R. Bruce Matthews, of New Mexico, each to be a Member of the Defense Nuclear Facilities Safety Board; and Otis Webb Brawley, Jr., of Georgia, and Vinicio E. Madrigal, of Louisiana, each to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences; and 459 nominations in the Navy and Air Force.

PRENATAL GENETIC TESTING TECHNOLOGY

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology and Space concluded a hearing to examine prenatal genetic testing technology, focusing on science, policy and ethics, after receiving testimony from Brian Chicoine, Advocate Lutheran General Hospital Adult Down Syndrome Center, Park Ridge, Illinois; Kathy Hudson, Johns Hopkins University Department of Pediatrics, Andrew J. Imparato, American Association of People with Disabilities, and Andrew Kimbrell, International Center for Technology Assessment, all of Washington, D.C.; Cheryl Sensebrenner, Alexandria, Virginia; and John Bruchalski, Fairfax, Virginia.

BUSINESS MEETING

Committee on Environment and Public Works: Committee met and approved sundry Committee resolutions.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported S. 2734, to implement the recommendations of the Inspector General of the Department of the Interior regarding Indian Tribal detention facilities, with an amendment in the nature of a substitute.

TRIBAL LOBBYING OVERSIGHT

Committee on Indian Affairs: Committee held an oversight hearing on lobbying practices involving Indian tribes, focusing on the propriety of certain dealings and interactions, especially those relative to testimony and evidence in the pending matter In re Tribal Lobbying Matters, et al., receiving testimony from Marc Schwartz, Marc Schwartz Partners, Inc., and Carlose Hisa, Yselta del Sur Pueblo, both of El Paso, Texas; and Michael Scanlon, Capitol Campaign Strategies, LLC, Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 8 public bills, H.R. 5373–5380; 1 private bill, H.R. 5381; and; 2 resolutions, H.J. Res. 111; and H. Res. 857, were introduced. **Page 23951**

Additional Cosponsors: **Page 23951**

Reports Filed: Reports were filed today as follows:

H.R. 710, for the relief of Mrs. Florence Narusewicz of Erie, Pennsylvania (H. Rept. 108–776);

H.R. 4908, to transfer certain land in Riverside County, California, from the Bureau of Land Management to the United States to be held in trust for the Pechanga Band of Luiseno Mission Indians, amended (H. Rept. 108–777);

H. Res. 856, providing for consideration of S. 2986, to amend title 31 of the United States Code to increase the public debt limit (H. Rept. 108–778);

Conference report on H.R. 1350, to reauthorize the Individuals with Disabilities Education Act (H. Rept. 108–779). **Page 23951**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bishop of Utah to act as Speaker Pro Tempore for today. **Page 23728**

Chaplain: The prayer was offered today by Dr. Bob M. Patterson, Pastor, First Baptist Church in Warm Springs, Georgia. **Page 23728**

Recess: The House recessed at 10:15 a.m. and reconvened at 2 p.m. **Page 23730**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Veterans' Benefits Improvements Act of 2004: S. 2486, to amend title 38, United States Code, to improve and enhance education, housing, employment, medical, and other benefits for veterans and to improve and extend certain authorities relating to the administration or benefits for veterans—clearing the measure for the President; **Page 23730**

Veterans Health Programs Improvement Act of 2004: Concur in the Senate amendments to H.R. 3936, to amend title 38, United States Code, to increase the authorization of appropriations for grants to benefit homeless veterans, to improve programs for management and administration of veterans' facilities and health care programs—clearing the measure for the President; **Page 23753**

Department of Veterans Affairs Health Care Personnel Enhancement Act of 2004: S. 2484, to amend title 38, United States Code, to simplify and improve pay provisions for physicians and dentists and to authorize alternate work schedules and executive pay for nurses—clearing the measure for the President; **Page 23769**

Arizona Water Settlements Act: S. 437, to provide for adjustments to the Central Arizona Project in Arizona, to authorize the Gila River Indian Community water rights settlement, to reauthorize and amend the Southern Arizona Water Rights Settlement Act of 1982—clearing the measure for the President; **Page 23775**

Lincoln County Conservation, Recreation, and Development Act of 2004: Concur in the Senate amendment to H.R. 4593, to establish wilderness areas, promote conservation, improve public land, and provide for the high quality development in Lincoln County, Nevada—clearing the measure for the President; **Page 23804**

Authorizing an exchange of land at Fort Frederica National Monument: Concur in the Senate amendment to H.R. 1113, to authorize an exchange of land at Fort Frederica National Monument—clearing the measure for the President; **Page 23809**

Assisting the States of Connecticut, New Jersey, New York, and Pennsylvania in conserving land and resources in the Highlands region: Concur with the Senate amendment to H.R. 1964, to assist the States of Connecticut, New Jersey, New York, and Pennsylvania in conserving priority lands and natural resources in the Highlands region—clearing the measure for the President; **Page 23810**

California Missions Preservation Act: Concur with the Senate amendment to H.R. 1446, to support the efforts of the California Missions Foundation to restore and repair the Spanish colonial and mission-era missions in the State of California and to preserve the artworks and artifacts of these missions—clearing the measure for the President; **Page 23812**

Kate Mullany National Historic Site Act: S. 1241, to establish the Kate Mullany National Historic Site in the State of New York—clearing the measure for the President; **Page 23818**

Authorizing additional appropriations for the Reclamation Safety of Dams Act of 1978: S. 1727, to authorize additional appropriations for the Reclamation Safety of Dams Act of 1978—clearing the measure for the President; **Page 23820**

Amending the Reclamation Projects Authorization and Adjustment Act of 1992: Concur with the Senate amendment to H.R. 1284, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to increase the Federal share of the costs of the San Gabriel Basin demonstration project—clearing the measure for the President; **Page 23821**

Idaho Panhandle National Forest Improvement Act of 2003: S. 434, to authorize the Secretary of Agriculture to sell or exchange all or part of certain parcels of National Forest System land in the State of Idaho and use the proceeds derived from the sale or exchange for National Forest System purposes—clearing the measure for the President; **Page 23821**

Alaska Land Transfer Acceleration Act of 2003: S. 1466, to facilitate the transfer of land in the State of Alaska—clearing the measure for the President; **Page 23822**

Three Affiliated Tribes Health Facility Compensation Act: S. 1146, to implement the recommendations of the Garrison Unit Tribal Advisory Committee by providing authorization for the construction of a rural health care facility on the Fort Berthold Indian Reservation, North Dakota—clearing the measure for the President; **Page 23828**

Correcting the enrollment of H.R. 1417: S. Con. Res. 145, to correct the enrollment of H.R. 1417; **Page 23830**

Copyright Royalty and Distribution Reform Act of 2004: Concur with Senate amendment to H.R. 1417, to amend title 17, United States Code, to replace copyright arbitration royalty panels with Copyright Royalty Judges by a ⅔ yea and nay vote of 407 yeas with none voting "nay", Roll No. 532—clearing the measure for the President; **Pages 23832, 23849**

Pursuant to S. Con. Res. 145, corrections in the enrollment of the bill were made. **Page 23841**

Improving access to physicians in medically underserved areas: S. 2302, to improve access to physicians in medically underserved areas, by a ⅔ yea and nay vote of 407 yeas to 4 nays, Roll No. 533—clearing the measure for the President; **Pages 23842, 23849**

Authorizing salary adjustments for Justices and judges of the U.S. for FY 2005: H.R. 5363, to authorize salary adjustments for Justices and judges of the United States for fiscal year 2005; **Page 23847**

Department of Energy High-End Computing Revitalization Act of 2004: Concur with the Senate amendment to H.R. 4516, to require the Secretary of Energy to carry out a program of research and development to advance high-end computing—clearing the measure for the President; **Page 23853**

Amending the Livestock Mandatory Price Reporting Act of 1999: S. 2965, to amend the Livestock Mandatory Price Reporting Act of 1999 to modify the termination date for mandatory price reporting—clearing the measure for the President; **Page 23854**

Supporting the goals and ideals of National Tourette Syndrome Awareness Month: H. Con. Res. 430, recog-

nizing the importance of early diagnosis, proper treatment, and enhanced public awareness of Tourette Syndrome and supporting the goals and ideals of National Tourette Syndrome Awareness Month—clearing the measure for the President; and Page 23855

Earl B. Gilliam/Imperial Avenue Post Office Designation Act: H.R. 5364, to designate the facility of the United States Postal Service located at 5505 Stevens Way in San Diego, California, as the "Earl B. Gilliam/Imperial Avenue Post Office Building". Page 23857

Relief of Rocco A. Trecosta of Fort Lauderdale, Florida: The House agreed to take from the Speaker's table and pass S. 2042, for the relief of Rocco A. Trecosta of Fort Lauderdale, Florida. Page 23848

Late Report: Agreed that the managers on the part of the House on the conference committee for H.R. 1350, to reauthorize the Individuals with Disabilities Education Act, have until midnight on November 17 to file a conference report. Page 23850

Convening day of the 109th Congress: The House agreed to H.J. Res. 111, appointing the day for the convening of the first session of the One Hundred Ninth Congress. Page 23850

Benjamin Franklin Commemorative Coin Act: The House agreed to discharge the committee on Financial Services from consideration of and pass H.R. 3204, to require the Secretary of the Treasury to mint coins in commemoration of the tercentenary of the birth of Benjamin Franklin. Page 23850

Agreed to the amendment in the nature of a substitute offered by Representative Castle. Page 23851

Presidential Messages: Read a message from the President wherein he transmitted an agreement between the U.S. and Japan on Social Security—referred to the Committee on Ways and Means and ordered printed (H. Doc. 108–234); Page 23858

Read a message from the President wherein he transmitted a report on the Squirrel River in Alaska—referred to the Committee on Resources and ordered printed (H. Doc. 108–235). Page 23859

Senate Message: Message received from the Senate today appear on page 23861.

Senate Referrals: S. 2986, S. 2991, and S. Con. Res. 146 were held at the desk. Page 23861

Quorum Calls—Votes: Two yea and nay votes developed during the proceedings of today and appear on pages 23849 and 23850. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:17 p.m.

Committee Meetings

STATUS OF U.S. FORCES

Committee on Armed Services: Held a hearing on the Status of U.S. Forces. Testimony was heard from the following officials of the Department of Defense: GEN Peter J. Schoomaker, USA, Chief of Staff, Army; GEN John P. Jumper, USAF, Chief of Staff, Air Force; ADM Vernon E. Clark, USN, Chief of Naval Operations and GEN Michael W. Hagee, USMC, Commandant of the Marine Corps, both with the Department of the Navy.

FLU SHOT SHORTAGE

Committee on Government Reform: Held a hearing entitled "The Nation's Flu Shot Shortage: Where Are We Today and How Prepared Are We for Tomorrow?" Testimony was heard from the following officials of the Department of Health and Human Services: Julie L. Gerberding, M.D., Director, Centers for Disease Control and Prevention; Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases; and Lester M. Crawford, D.V.M., Acting Commissioner, FDA; Howard Pien, President, CEO and Chairman of the Board, Chiron Corporation; and public witnesses.

FEDERAL REGULATORY REFORM—ADMINISTRATION'S RECORD

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing entitled "What is the Bush Administration's Record in Regulatory Reform?" Testimony was heard from John D. Graham, Administrator, Office of Information and Regulatory Affairs, OMB; Stephen L. Johnson, Deputy Administrator, EPA; Howard M. Radzely, Solicitor, Department of Labor; Thomas M. Sullivan, Chief Counsel for Advocacy, SBA; and public witnesses.

OIL-FOR-FOOD PROGRAM: TRACKING THE FUNDS

Committee on International Relations: Held a hearing on The Oil-for-Food Program: Tracking the Funds. Testimony was heard from Charles A. Duelfer, Special Advisor to the Director of Central Intelligence on Iraq's Weapons of Mass Destruction, CIA; Herbert A. Biern, Senior Associate Director, Division of Banking Supervision and Regulation, Federal Reserve Board, Federal Reserve System; and public witnesses.

DEBT LIMIT EXTENSION

Committee on Rules: Granted, by voice vote, a closed rule providing 1 hour of debate in the House on S. 2986, to amend title 31 of the United States Code to increase the public debt limit, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. Finally, the rule

provides one motion to commit. Testimony was heard from Representative Thompson of California.

Joint Meetings

FOREIGN OPERATIONS APPROPRIATIONS ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 4818, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005.

INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 1350, to reauthorize the Individuals with Disabilities Education Act.

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Thursday, November 18, 2004

Senate

Chamber Action

Routine Proceedings, pages 23961–24036

Measures Introduced: Thirteen bills and seven resolutions were introduced, as follows: S. 2995–3007, S. Res. 470–473, and S. Con. Res. 147–149. **Page 24017**

Measures Reported: S. 346, to amend the Office of Federal Procurement Policy Act to establish a government-wide policy requiring competition in certain executive agency procurements, with an amendment. (S. Rept. No. 108–415) **Page 24017**

Measures Passed:

Commending the National Oceanic and Atmospheric Administration: Senate agreed to S. Con. Res. 149, commending the National Oceanic and Atmospheric Administration and its employees for its dedication and hard work during Hurricanes Charley, Frances, Ivan, and Jeanne. **Page 24027**

Honoring the Life of Astronaut Leroy Gordon Cooper, Jr.: Senate agreed to S. Res. 470, honoring the life of astronaut Leroy Gordon Cooper, Jr. **Page 24028**

Honoring the Late Senator Paul Simon: Senate agreed to S. Res. 471, authorizing the printing of tributes and other related materials in honor of the late Senator Paul Simon. **Page 24028**

Inez Sitter: Committee on Indian Affairs was discharged from further consideration of S. Res. 423, commending Inez Sitter for her service to the United States, and the resolution was then agreed to. **Page 24029**

Confederated Tribes of Coos: Committee on Indian Affairs was discharged from further consideration of S. Res. 441, expressing the sense of the Senate that October 17, 1984, the date of the restoration by the Federal Government of Federal recognition to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, should be memorialized, and the resolution was then agreed to. **Page 24029**

Elder Fall Prevention Act: Senate passed S. 1217, to direct the Secretary of Health and Human Services to intensify programs with respect to research and related activities concerning falls among older adults, after agreeing to the committee amendment in the nature of a substitute. **Page 24030**

All-America City Awards: Senate agreed to H. Con. Res. 464, honoring the 10 communities selected to receive the 2004 All-America City Award. **Page 24032**

National Day of the Horse: Committee on the Judiciary was discharged from further consideration of S. Res. 452, designating December 13, 2004, as "National Day of the Horse" and encouraging the people of the United States to be mindful of the contribution of horses to the economy, history, and character of the United States, and the resolution was then agreed to. **Page 24032**

Alexander Hamilton: Committee on the Judiciary was discharged from further consideration of S. Con. Res. 123, recognizing and honoring the life and legacy of Alexander Hamilton on the bicentennial of his death because of his standing as one of the most influential Founding Fathers of the United States, and the resolution was then agreed to. **Page 24033**

National Children's Memorial Day: Committee on the Judiciary was discharged from further consideration of S. Res. 436, designating the second Sunday in the month of December 2004 as "National Children's Memorial Day", and the resolution was then agreed to. **Page 24033**

Rose Revolution: Senate agreed to S. Res. 472, to honor the people of Georgia on the first anniversary of the Rose Revolution. **Page 24033**

Urging the Government of Ukraine: Senate agreed to S. Res. 473, urging the Government of Ukraine to ensure a democratic, transparent, and fair election process for the Presidential run-off election on November 21, 2004. **Page 24034**

State High Risk Pool Funding Extension Act—Agreement: A unanimous-consent agreement was reached providing that the Senate request the House of Representatives return the papers with respect to S. 2283, to extend Federal funding for operation of State high risk health insurance pools. **Page 23963**

Maiden Speeches—Agreement: A unanimous-consent agreement was reached providing that all maiden speeches by new Senators from the 108th Congress be printed as a Senate document; and that Senators have until the close of business on Friday, November 19, 2004 to submit such statements. **Page 24035**

Printing Tributes—Agreement: A unanimous-consent agreement was reached providing that there be printed as individual Senate documents a compilation of materials from the Congressional Record in tribute to retiring Members of the 108th Congress. **Page 24035**

Miscellaneous Trade and Technical Corrections Act Conference Report—Agreement: A unanimous-consent agreement was reached providing for further consideration of the conference report to accompany H.R. 1047, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, on Friday, November 19, 2004; that there be 30 minutes of debate, following which, Senate vote on the motion to invoke cloture on the conference report. **Page 24036**

Nominations Confirmed: Senate confirmed the following nominations:

2 Air Force nominations in the rank of general.

A routine list in the Navy. **Pages 24035, 24036**

Nominations Discharged: The following nominations were discharged from further consideration by the Committee on Health, Education, Labor and Pension, and placed on the Executive Calendar:

Julia L. Wu, of California, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring February 4, 2008, which was sent to the Senate on April 8, 2004.

Eugene Hickok, of Pennsylvania, to be Deputy Secretary of Education, which was sent to the Senate on May 13, 2004.

Edward R. McPherson, of Texas, to be Under Secretary of Education, which was sent to the Senate on May 13, 2004.

Robert Davila, of New York, to be a Member of the National Council On Disability for a term expiring September 17, 2006. (Reappointment), which was sent to the Senate on May 20, 2004.

Linda Wetters, of Ohio, to be a Member of the National Council On Disability for a term expiring September 17, 2006. (Reappointment), which was sent to the Senate on May 20, 2004.

Carol D'Amico, of Indiana, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years. (New Position), which was sent to the Senate on June 14, 2004.

Laurie Stenberg Nichols, of South Dakota, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring March 3, 2010, which was sent to the Senate on November 16, 2004.

The following nominations were discharged from further consideration by the Committee on Foreign Relations, and placed on the Executive Calendar:

Yousif B. Ghafari, of Michigan, to be an Alternate Representative of the United States of America to the Fifty-ninth Session of the General Assembly of the United Nations, which was sent to the Senate on July 22, 2004.

Jane Dee Hull, of Arizona, to be a Representative of the United States of America to the Fifty-ninth Session of the General Assembly of the United Nations, which was sent to the Senate on July 22, 2004.

Susan L. Moore, of Texas, to be an Alternate Representative of the United States of America to the Fifty-ninth Session of the General Assembly of the United Nations, which was sent to the Senate on September 20, 2004. **Page 24036**

Messages From the House: **Page 24013**

Executive Communications: **Page 24014**

Additional Cosponsors: **Page 24018**

Statements on Introduced Bills/Resolutions: **Page 24018**

Additional Statements: **Page 24009**

Authority for Committees to Meet: **Page 24027**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:49 p.m., until 9:30 a.m., on Friday, November 19, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 24036.)

Committee Meetings

FINANCIAL MANAGEMENT REFORM

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded a hearing to examine the status of financial management reform within the Department of Defense and the individual services, after receiving testimony from Tina W. Jonas, Under Secretary of Defense (Comptroller); David M. Walker, Comptroller General of the United States; Valerie Lynn Baldwin, Assistant Secretary of the Army (Financial Management and Comptroller); Richard Greco, Jr., Assistant Secretary of the Navy (Financial Management and Comptroller); and Michael Montelongo, Assistant Secretary of the Air Force (Financial Management and Comptroller).

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Jonathan Steven Adelstein, of South Dakota, to be a Member of the Federal Communications Commission, who was introduced by Senator Johnson, Ernest J. Wilson III of Maryland, to be a Member of the Board of Direc-

tors of the Corporation for Public Broadcasting, Claudia Puig, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting, Gay Hart Gaines, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting, Harold Jennings Creel, Jr., of South Carolina, to be a Federal Maritime Commissioner, and James S. Simpson, of New York, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation, after the nominees testified and answered questions in their own behalf.

PORNOGRAPHY ADDICTION

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology and Space concluded a hearing to examine the brain science behind pornography addiction, focusing on the effects of addiction on families and communities, after receiving testimony from Judith Reisman, California Protective Parents Association, Sacramento; Mary Anne Layden, University of Pennsylvania Center for Cognitive Therapy, Philadelphia; James B. Weaver, III Virginia Polytechnic Institute and State University Department of Communication, Blacksburg; and Jeffrey Satinover, Weston, Connecticut.

PATIENT SAFETY

Committee on Finance: Committee concluded a hearing to examine putting patient safety first regarding drugs such as Vioxx, focusing on the Food and Drug Administration, and heart attacks, after receiving testimony from David J. Graham, Associate Director for Science and Medicine, Office of Drug Safety, Center for Drug Evaluation and Research, and Sandra L. Kweder, Acting Director, Office of New Drugs, Center for Drug Evaluation and Research, both of the Food and Drug Administration, Department of Health and Human Services; Gurkirpal Singh, Stanford University School of Medicine, Stanford, California; Bruce M. Psaty, University of Washington, Seattle; and Raymond V. Gilmartin, Merck and Co., Inc., Whitehouse Station, New Jersey.

STANDING ROCK SIOUX RESERVATION

Committee on Indian Affairs: Committee on Indian Affairs held an oversight hearing on the water problems on the Standing Rock Sioux Reserve, receiving testimony from William T. Grisoli, Brigadier General, Commander and Division Engineer, Northwestern Division, Army Corps of Engineers; Dennis Breitzman, Area Manager, Dakotas Area Office, Bureau of Reclamation, Department of the Interior; Richard Olson, Director, Division of Clinical and Community Services, and Ronald Ferguson, Director, Division of Sanitation Facilities Construction, both of the Indian Health Service, Department of Health and Human Services; and Charles W. Murphy, and Mike Claymore, both of Standing Rock Sioux Tribal Council, Fort Yates, North Dakota.

Hearing recessed subject to the call of the Chair.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 5382–5392; and; 5 resolutions, H.J. Res. 112–113; H. Con. Res. 522–523, and H. Res. 862, were introduced. **Page 24071**

Additional Cosponsors: **Page 24072**

Reports Filed: Reports were filed today as follows:

H.R. 4634, to extend the terrorism insurance program of the Department of the Treasury, amended (H. Rept. 108–780);

H. Res. 858, waiving points of order against the conference report to accompany H.R. 1350, to reauthorize the Individuals with Disabilities Education Act (H. Rept. 108–781);

H. Res. 859, providing for consideration of motions to suspend the rules (H. Rept. 108–782);

H. Res. 860, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–783);

H. Res. 861, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–784). **Page 24071**

Speaker: Read a letter from the Speaker wherein he appointed Representative Simpson to act as Speaker Pro Tempore for today. **Page 24037**

Public Debt Limit Increase: The House passed S. 2986, to amend title 31 of the United States Code to increase the public debt limit, by a recorded vote of 208 ayes to 204 noes, Roll No. 536. **Page 24046**

Rejected the Stenholm motion to commit the bill to the Committee on Ways and Means with instructions to report the bill back to the House forthwith with an amendment by a yea-and-nay vote of 194 yeas to 218 nays, Roll No. 535. **Page 24057**

H. Res. 856, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 205 yeas to 191 nays, Roll No. 534. **Pages 24038, 24045**

Recess: The House recessed at 11:15 a.m. and reconvened at 8:35 p.m. **Page 24045**

Benjamin Franklin Commemorative Coin Act: Agreed that the Clerk be authorized to make a technical correction in the engrossment of H.R. 3204, to require the Secretary of the Treasury to mint coins in commemoration of the tercentenary of the birth of Benjamin Franklin. **Page 24046**

Congratulating the Boston Red Sox on winning the 2004 World Series: The House agreed to discharge the Committee on Government Reform from consideration of

and pass H. Res. 854, congratulating the Boston Red Sox on winning the 2004 World Series. Page 24059

Agreed to the Ose amendment making a technical correction to the resolution. Page 24063

Quorum Calls—Votes: Two yea-and-nay votes and one recorded vote developed during the proceedings of today and appears on pages 24046, 24058, and 24059. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:55 p.m.

Committee Meetings

FLU VACCINE SHORTAGE

Committee on Energy and Commerce: Subcommittee on Health and the Subcommittee on Oversight and Investigations held a joint hearing entitled "Flu Vaccine: Protecting High-Risk Individuals and Strengthening the Market." Testimony was heard from the following officials of the Department of Health and Human Services: Lester M. Crawford, D.V.M., Acting Commissioner, FDA; Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH; and Julie L. Gerberding, M.D., Director, Centers for Disease Control and Prevention; Janet Heinrich, Director, Healthcare/Public Health Issues, GAO; Janet Olszewski, Director, Department of Community Health, State of Michigan; and public witnesses.

LAW ENFORCEMENT AND THE FIGHT AGAINST METHAMPHETAMINE

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Law Enforcement and the Fight Against Methamphetamine." Testimony was heard from Scott Burns, Deputy Director, State and Local Affairs, Office of National Drug Control Policy; the following officials of the Department of Justice: Domingo S. Herraiz, Director, Bureau of Justice Assistance, Office of Justice Programs; and Joseph Rannazzisi, Deputy Chief, Office of Enforcement, DEA; Lonnie Wright, Director, Bureau of Narcotics and Dangerous Drugs, State of Oklahoma; and public witnesses.

COLOMBIA NARCO-TERRORISM

Committee on International Relations: Subcommittee on the Western Hemisphere held a hearing on Aid to Colombia—The European Role in the Fight Against Narco-terrorism. Testimony was heard from the following officials of the Department of State: Robert R. Charles, Assistant Secretary, Bureau of International Narcotics and Law Enforcement; and Adolfo A. Franco, Assistant Administrator, Bureau for Latin America and the Caribbean, AID; and public witnesses.

OVERSIGHT—USDA RACIAL DISCRIMINATION CASE

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing entitled "Notice Provision in the *Pigford* v. *Glickman* Consent Decree." Testimony was heard from public witnesses.

CONFERENCE REPORT—INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT

Committee on Rules: Granted by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 1350, an Act to reauthorize the Individuals with Disabilities Education Act, and for other purposes, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representatives Castle and George Miller of California.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Committee on Rules: Granted by voice vote, a rule providing that suspensions will be in order at any time on the legislative day of Friday, November 19, 2004. The rule provides that the Speaker or his designee will consult with the Minority Leader or her designee on any suspensions considered under the rule.

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any resolution reported on or before the legislative day of November 20, 2004, providing for consideration or disposition of a conference report to accompany the bill (S. 2845) to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, and for other purposes.

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any resolution reported on or before the legislative day of November 20, 2004, providing for consideration or disposition of a conference report to accompany the bill (S. 4548) to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management

Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

BRIEFING—GLOBAL TERRORIST THREATS UPDATE

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Global Terrorist Threats Update. The Committee was briefed by departmental witnesses.

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Friday, November 19, 2004

Senate

Chamber Action

Routine Proceedings, pages 24132–24285

Measures Introduced: Fourteen bills and seven resolutions were introduced, as follows: S. 12, 3008–3020, S. Res. 474–478, and S. Con. Res. 150–151. **Page 24260**

Measures Reported:

S. 2393, to improve aviation security, with amendments. (S. Rept. No. 108–417)

S. 2541, to reauthorize and restructure the National Aeronautics and Space Administration, with amendments. (S. Rept. No. 108–418)

S. 1153, to amend title 38, United States Code, to permit medicare-eligible veterans to receive an out-patient medication benefit, to provide that certain veterans who receive such benefit are not otherwise eligible for medical care and services from the Department of Veterans Affairs, with an amendment in the nature of a substitute. (S. Rept. No. 108–420)

S. 1380, to distribute universal service support equitably throughout rural America.

S. 1963, to amend the Communications Act of 1934 to protect the privacy right of subscribers to wireless communication services, with an amendment in the nature of a substitute.

S. 2145, to regulate the unauthorized installation of computer software, to require clear disclosure to computer users of certain computer software features that may pose a threat to user privacy, with an amendment in the nature of a substitute.

S. 2281, to provide a clear and unambiguous structure for the jurisdictional and regulatory treatment for the offering or provision of voice-over-Internet-protocol applications, with an amendment in the nature of a substitute.

S. 2505, to implement the recommendations of the Federal Communications Commission report to the Congress regarding low power FM service, with an amendment.

S. 2644, to amend the Communications Act of 1934 with respect to the carriage of direct broadcast satellite television signals by satellite carriers to consumers in rural areas, with an amendment in the nature of a substitute.

S. 2820, to ensure the availability of certain spectrum for public safety entities by amending the Communications Act of 1934 to establish January 1, 2009, as the date by which the transition to digital television shall be completed, and for other purposes, with amendments. **Page 24259**

Measures Passed:

National Adoption Month: Senate agreed to S. Res. 474, to express support for the goals of National Adoption Month by promoting national awareness of adoption, celebrating children and families involved in adoption, and encouraging Americans to secure safety, permanency, and well-being for all children. **Page 24137**

Condemning Laos Human Rights Abuses: Senate agreed to S. Res. 475, to condemn human rights abuses in Laos. **Page 24172**

Osage Tribe: Senate passed H.R. 2912, to reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government, clearing the measure for the President. **Page 24184**

Snake River Water Rights Act: Senate passed S. 2605, to direct the Secretary of the Interior and the heads of other Federal agencies to carry out an agreement resolving major issues relating to the adjudication of water rights in the Snake River Basin, Idaho, after agreeing to the committee amendment in the nature of a substitute. **Page 24185**

Native American Capital Formation and Economic Development Act: Senate passed S. 519, to determine the feasibility of establishing an Indian Tribal Development Corporation, after agreeing to the committee amendment in the nature of a substitute. **Page 24190**

Tribal Parity Act: Senate passed S. 1530, to provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River, after agreeing to the committee amendments. **Page 24195**

Oglala Sioux Tribe Angostura Irrigation Project Rehabilitation and Development Act: Senate passed S. 1996, to enhance and provide to the Oglala Sioux Tribe and Angostura Irrigation Project certain benefits of the Pick-Sloan Missouri River basin program, after agreeing to the committee amendment in the nature of a substitute. **Page 24196**

Spokane Tribe of Indians of the Spokane Reservation Grand Coulee Dam Equitable Compensation Settlement Act: Senate passed S. 1438, to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, after

agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: Page 24198

Craig (for Campbell) Amendment No. 4068, to make clear that land transferred under the bill shall remain part of the Lake Roosevelt National Recreation Area. Page 24203

Trust Fund Lawsuit: Committee on Indian Affairs was discharged from further consideration of S. Res. 248, expressing the sense of the Senate concerning the individual Indian money account trust fund lawsuit, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: Page 24203

Craig (for Campbell) Amendment No. 4069, in the nature of a substitute. Page 24203

Craig (for Campbell) Amendment No. 4070, to amend the preamble. Page 24203

Harmful Algal Bloom Authorization: Senate passed S. 3014, to reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998. Page 24203

Training for Realtime Writers Act: Senate passed S. 480, to provide competitive grants for training court reporters and closed captioners to meet requirements for real-time writers under the Telecommunications Act of 1996. Page 24205

Recognizing Battle of the Bulge 60th Anniversary: Senate passed H.J. Res. 110, recognizing the 60th anniversary of the Battle of the Bulge during World War II, clearing the measure for the President. Page 24273

National Prematurity Awareness Month: Senate agreed to S. Res. 476, supporting the goals, activities, and ideals of National Prematurity Awareness Month. Page 24273

Enrollment Correction: Senate passed H. Con. Res. 524, directing the Clerk of the House of Representatives to make certain corrections to the enrollment of H.R. 1350. Page 24281

United States Vision in the Middle East: Senate agreed to S. Res. 477, expressing the sense of the Senate in support of a reinvigorated United States vision of freedom, peace, and democracy in the Middle East. Page 24281

Irish Peace Process Cultural and Training Program Act: Committee on Foreign Relations was discharged from further consideration of H.R. 2655, to amend and extend the Irish Peace Process Cultural and Training Program Act of 1998, after agreeing to the following amendment proposed thereto:

Sessions (for Lugar) Amendment No. 4071, in the nature of a substitute. Page 24282

United States District Court Authority: Committee on the Judiciary was discharged from further consideration of S. 2873, to extend the authority of the United States District Court for the Southern District of Iowa to hold court in Rock Island, Illinois, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Sessions (for Leahy) Amendment No. 4072, to provide for additional places of holding court. Page 24283

National Sex Offender Database Registration: Committee on the Judiciary was discharged from further consideration of S. 2154, to establish a National sex offender registration database, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Sessions (for Dorgan) Amendment No. 4073, in the nature of a substitute. Page 24283

Displaced Staff Members: Senate agreed to S. Res. 478, relating to displaced staff members of Senators and Senate leaders. Page 24284

109th Congress Convening Date: Senate agreed to H.J. Res. 111, appointing the day for convening of the first session of the One Hundred Ninth Congress, clearing the measure for the President. Page 24284

Miscellaneous Trade and Technical Corrections Act—Conference Report: By unanimous-consent, Senate agreed to the conference report to accompany H.R. 1047, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, clearing the measure for the President. Pages 24132, 24139, 24173

During consideration of this measure today, Senate also took the following action:

By 88 yeas to 5 nays (vote No. 214), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the conference report. Page 24136

Individuals with Disabilities Education Act—Conference Report: Senate agreed to the conference report to accompany H.R. 1350, to reauthorize the Individuals with Disabilities Education Act, clearing the measure for the President. Page 24274

Nominations Discharged: Committee on Foreign Relation was discharged from further consideration of the following nominations which were then placed on the Executive Calendar:

Routine lists in the Foreign Service. Page 24285

Messages From the House: Page 24253

Enrolled Bills Presented: Page 24254

Executive Communications: Page 24254

Executive Reports of Committees: Page 24259

Additional Cosponsors: Page 24260

Statements on Introduced Bills/Resolutions: Page 24261

Additional Statements: Page 24248

Amendments Submitted: Page 24272

Record Votes: One record vote was taken today. (Total—214) Page 24136

Adjournment: Senate convened at 9:31 a.m. and adjourned at 8:24 p.m., until 11 a.m., on Saturday, November 20, 2004 (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 24284.)

Committee Meetings

IMPROVISED EXPLOSIVE DEVICES

Committee on Armed Services: Committee met in closed session to receive a briefing regarding the nature of the evolving Improvised Explosive Devices threat from Brigadier General Joseph Votel, USA, Director of the Department of Defense Improvised Explosive Device Task Force, who was accompanied by several of his associates.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported six nominations in the Army and Air Force.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the nominations of Jonathan Steven Adelstein, of South Dakota, to be a Member of the Federal Communications Commission, Ernest J. Wilson III, of Maryland, to be a Member of the Board of Directors of the Corporation for Public Broadcasting, Claudia Puig, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting, Gay Hart Gaines, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting, Harold Jennings Creel, Jr., of South Carolina, to be a Federal Maritime Commissioner, James S. Simpson, of New York, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation, and sundry nominations for promotion in the U.S. Coast Guard.

House of Representatives

Chamber Action

Measures Introduced: 26 public bills, H.R. 5393–5418; and; 8 resolutions, H.J. Res. 114; H. Con. Res. 524–527, and H. Res. 863–865 were introduced. Page 25032

Additional Cosponsors: Page 25034

Reports Filed: Reports were filed today as follows:

H.R. 1662, to amend the Endangered Species Act of 1973 to require the Secretary of the Interior to give greater weight to scientific or commercial data that is empirical or has been field-tested or peer-reviewed, amended (H. Rept. 108–785);

H.R. 2933, to amend the Endangered Species Act of 1973 to reform the process for designating critical habitat under that Act, amended (H. Rept. 108–786);

H.R. 5104, to amend the Marine Mammal Protection Act of 1972 to authorize appropriations for the John H. Prescott Marine Mammal Rescue Assistance Grant Program (H. Rept. 108–787);

H.R. 5134, to require the prompt review by the Secretary of the Interior of the long-standing petitions for Federal recognition of certain Indian tribes, amended (H. Rept. 108–788);

H.R. 2801, to establish a digital and wireless network technology program, amended (H. Rept. 108–789, Pt. 1);

H.R. 3283, to improve recreational facilities and visitor opportunities on Federal recreational lands by reinvesting receipts from fair and consistent recreational fees and passes, amended (H. Rept. 108–790, Pt. 1);

H.R. 2440, to improve the implementation of the Federal responsibility for the care and education of Indian people by improving the services and facilities of Federal health programs for Indians and encouraging maximum participation of Indians in such programs, amended (H. Rept. 108–791, Pt. 1); and

Conference report to accompany H.R. 4818, an act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and for other purposes (H. Rept. 108–792). Pages 24358, 25032

Rule for consideration of suspensions: The House agreed to H. Res. 859, providing for consideration of motions to suspend the rules, by voice vote. Page 24288

Individuals with Disabilities Education Improvement Act of 2004—Conference Report: The House agreed to the conference report to accompany H.R. 1350, to reauthorize the Individuals with Disabilities Education Act, by a yea and nay vote of 397 yeas to 3 nays, Roll No. 537. Page 24295

Agreed to H. Con. Res. 524, authorizing a technical correction in the enrollment of the bill. Page 24307

H. Res. 858, the rule providing for consideration of the conference report, was agreed to by voice vote. Page 24290

Suspensions: The House agreed to suspend the rules and pass the following measures:

American History and Civics Education Act of 2004: H.R. 5360, amended, to authorize grants to establish academies for teachers and students of American history and civics; Page 24308

Directing the Secretary of the Senate to make corrections in the enrollment of S. 150: S. Con. Res. 146, to direct the Secretary of the Senate to make corrections in the enrollment of the bill S. 150; Page 24309

Internet Tax Nondiscrimination Act: S. 150, to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act—clearing the measure for the President; **Page 24310**

Amending title 5, U.S. Code, regarding Thrift Savings Plans: H.R. 4324, amended, to amend title 5, United States Code, to eliminate the provisions limiting certain election opportunities available to individuals participating in the Thrift Savings Plan; **Page 24318**

Agreed to amend the title so as to read: to amend chapter 84 of title 5, United States Code, to provide for Federal employees to make elections to make, modify, and terminate contributions to the Thrift Savings Fund at any time. **Page 24320**

Comprehensive Peace in Sudan Act of 2004: S. 2781, amended, to express the sense of Congress regarding the conflict in Darfur, Sudan, to provide assistance for the crisis in Darfur and for comprehensive peace in Sudan; **Page 24320**

YMCA Retirement Fund: H.R. 5365, to treat certain arrangements maintained by the YMCA Retirement Fund as church plans for the purposes of certain provisions of the Internal Revenue Code of 1986; and **Page 24328**

Amending the Social Security Act with regard to Medicare part B premiums: S. 2618, to amend title XIX of the Social Security Act to extend medicare cost-sharing for the medicare part B premium for qualifying individuals through September 2005—clearing the measure for the President. **Page 24339**

Suspensions—Proceedings Postponed: The House began consideration of the following measures under suspension of the rules. Further proceedings were postponed.

Recognizing the Boy Scouts of America: H. Res. 853, recognizing the Boy Scouts of America for the public service the organization performs for neighborhoods and communities across the United States; and **Page 24314**

Promoting the development of the emerging commercial human space flight industry: H.R. 5382, to promote the development of the emerging commercial human space flight Industry. **Page 24331**

Recess: The House recessed at 2:49 p.m. and reconvened at 7:28 p.m. **Page 24339**

Petrified National Forest Boundary Adjustment: The House agreed to take from the Speaker's table and agree to the Senate amendment to H.R. 1630, to revise the boundary of the Petrified Forest National Park in the State of Arizona. **Page 24341**

Visiting Nurses Association Week: The House agreed to take from the Speaker's table and agree to S. Con. Res. 8, expressing the sense of Congress that there should be established a National Visiting Nurses Association Week. **Page 24341**

Donald Brotzman Post Office Building Designation Act: The House agreed to discharge the Committee on Government Reform from consideration of and pass H.R. 5370, to designate the facility of the United States Postal Service located at 4985 Moorhead Avenue in Boulder, Colorado, as the "Donald G. Brotzman Post Office Building". **Page 24342**

Honoring the life of Leroy Gordon Cooper, Jr.: The House agreed to discharge the Committee on Science from consideration of and agree to H. Res. 847, honoring the life of astronaut Leroy Gordon Cooper, Jr. **Page 24342**

Recess: The House recessed at 9:53 p.m. and reconvened at 12:18 a.m. **Page 24358**

Senate Message: Message received from the Senate today appears on page 24290.

Senate Referrals: S. 1217 was referred to the Committee on Energy and Commerce; and S. Con. Res. 123 and S. Con. Res. 149 were held at the desk. **Pages 24290, 25025**

Quorum Calls—Votes: One yea and nay vote developed during the proceedings of today and appears on page 24307. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 12:19 a.m. on Saturday, November 20.

Committee Meetings

No committee meetings were held.

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Saturday, November 20, 2004

Senate

Chamber Action

Routine Proceedings, pages 25189–25376

Measures Introduced: Eight bills and five resolutions were introduced, as follows: S. 3021–3028, S.J. Res. 42, and S. Res. 479–482. **Page 25328**

Measures Reported:

S. 2635, to establish an intergovernmental grant program to identify and develop homeland security information, equipment, capabilities, technologies, and services to further the homeland security needs of the United States and to address the homeland security needs of Federal, State, and local governments, with an amendment in the nature of a substitute. (S. Rept. No. 108–420) **Page 25328**

Measures Passed:

Intellectual Property Rights: Senate passed S. 3021, to provide for the protection of intellectual property rights, after agreeing to the following amendment proposed thereto:

McCain Amendment No. 4074, to amend the Professional Boxing Safety Act of 1996. **Page 25207**

Federal Employee Dental and Vision Benefits Enhancement Act: Senate passed S. 2657, to amend part III of title 5, United States Code, to provide for the establishment of programs under which supplemental dental and vision benefits are made available to Federal employees, retirees, and their dependents, to expand the contracting authority of the Office of Personnel Management, after agreeing to the following amendment proposed thereto:

McCain (for Collins) Amendment No. 4075, to make technical and conforming amendments. **Page 25219**

District of Columbia Civil Commitment Modernization Act: Senate passed H.R. 4302, to amend title 21, District of Columbia Official Code, to enact the provisions of the Mental Health Civil Commitment Act of 2002 which affect the Commission on Mental Health and require action by Congress in order to take effect, clearing the measure for the President. **Page 25222**

Conference Report Correction: Senate passed S.J. Res. 42, to make a correction in the conference report to accompany H.R. 4818. **Page 25258**

Continuing Resolution: Senate passed H.J. Res. 114, making further continuing appropriations for the fiscal year 2005, clearing the measure for the President. **Page 25267**

Enrollment Correction: Senate agreed to H. Con. Res. 528, directing the Clerk of the House of Representatives to make technical corrections in the enrollment of the bill H.R. 4818, after agreeing to the following amendment proposed thereto: **Page 25294**

Stevens Amendment No. 4076, to strike section 222 of Title II of Division H. **Page 25295**

Homeland Security Grant Program: Senate passed S. 2635, to establish an intergovernmental grant program to identify and develop homeland security information, equipment, capabilities, technologies, and services to further the homeland security needs of the United States and to address the homeland security needs of Federal, State, and local governments, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto:

Frist (for Collins) Amendment No. 4077, relating to the Department of Energy national laboratory. **Page 25363**

Senate National Security Working Group: Senate passed S. Res. 480, extending the authority for the Senate National Security Working Group. **Page 25365**

Honoring Major Richard D. Winters: Senate passed S. Res. 481, expressing the gratitude and appreciation of the Senate for the acts of heroism and military achievement of Major Richard D. Winters (Ret.) during World War II, and commending him for leadership and valor in leading the men of Easy Company. **Page 25365**

Congratulating Boston Red Sox: Senate passed S. Res. 482, congratulating the Boston Red Sox on winning the 2004 World Series. **Page 25366**

Microenterprise Results and Accountability Act: Senate passed S. 3027, to amend the Foreign Assistance Act of 1961 to improve the results and accountability of microenterprise development assistance programs. **Page 25367**

Commodity, Assessment, Protection and Reform Act: Senate passed S. 2866, to amend the Farm Security and Rural Investment Act of 2002 to clarify the authority of the Secretary of Agriculture and the Commodity Credit Corporation to enter into memorandums of understanding with a State regarding the collection of approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans. **Page 25369**

HIPAA Recreational Injury Technical Correction Act: Senate passed S. 423, to promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities, after agreeing to the committee amendment in the nature of a substitute. **Page 25370**

Adjournment Resolution: Senate agreed to H. Con. Res. 529, after agreeing to the following amendment proposed thereto: **Page 25370**

Frist Amendment No. 4079, providing that when the House adjourns on Wednesday, November 24, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, December 6, 2004, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and when the Senate recesses or adjourns from Saturday, November 20, 2004, through Wednesday, November 24, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, December 6, 2004, or Tuesday December 7, 2004, or until such other time as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until the time of reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first. **Page 25370**

Marine Debris Research and Reduction Act: Senate passed S. 2488, to establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, determine sources of, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities, after agreeing to the following amendment proposed thereto: **Page 25371**

Frist (for Inouye) Amendment No. 4078, in the nature of a substitute. Page 25371

Controlled Substances Import and Export Act: Senate passed S. 3028, to amend the Controlled Substances Import and Export Act to provide authority for the Attorney General to authorize the export of controlled substances from the United States to another country for subsequent export from that country to a second country, if certain conditions and safeguards are satisfied. Page 25371

Consolidated Appropriations Act Conference Report: By 65 yeas to 30 nays (Vote No. 215), Senate agreed to the conference report to accompany H.R. 4818, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005. Pages 25267, 25292

A unanimous-consent agreement was reached providing that the conference report remain held in the Senate until the House of Representatives adopts H. Con. Res. 528, as amended. Page 25267

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, Assistant Majority Leader and Senator Warner, be authorized to sign duly enrolled bills or joint resolutions. Page 25373

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. Page 25373

Nominations Confirmed: Senate confirmed the following nominations:

Alan G. Lance, Sr., of Idaho, to be a Judge of the United States Court of Appeals for Veterans Claims for the term prescribed by law.

Charlotte A. Lane, of West Virginia, to be a Member of the United States International Trade Commission for a term expiring December 16, 2009.

Daniel Pearson, of Minnesota, to be a Member of the United States International Trade Commission for the term expiring June 16, 2011.

Robert N. Davis, of Florida, to be a Judge of the United States Court of Appeals for Veterans Claims for the term prescribed by law.

William A. Schambra, of Virginia, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring September 14, 2006.

Donna N. Williams, of Texas, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2006.

R. Bruce Matthews, of New Mexico, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2005.

Deborah Ann Spagnoli, of California, to be a Commissioner of the United States Parole Commission for a term of six years.

William A. Chatfield, of Texas, to be Director of Selective Service.

Gregory E. Jackson, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

David Wesley Fleming, of California, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring May 29, 2007.

Jay Phillip Greene, of Florida, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring November 17, 2005.

John Richard Petrocik, of Missouri, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring September 27, 2008.

Patrick Lloyd McCrory, of North Carolina, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2005.

Juanita Alicia Vasquez-Gardner, of Texas, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2009. (Reappointment)

Michael D. Gallagher, of Washington, to be Assistant Secretary of Commerce for Communications and Information.

Gary Lee Visscher, of Maryland, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

Adam Marc Lindemann, of New York, to be Member of the Advisory Board for Cuba Broadcasting for a term expiring October 27, 2005.

Gay Hart Gaines, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2010.

J. Russell George, of Virginia, to be Inspector General for Tax Administration, Department of the Treasury.

Jonathan Baron, of Maryland, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of three years. (New Position)

Elizabeth Ann Bryan, of Texas, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of four years. (New Position)

James R. Davis, of Mississippi, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years. (New Position)

Robert C. Granger, of New Jersey, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of four years. (New Position)

Frank Philip Handy, of Florida, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of three years. (New Position)

Eric Alan Hanushek, of California, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years. (New Position)

Caroline M. Hoxby, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of four years. (New Position)

Gerald Lee, of Pennsylvania, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of four years. (New Position)

Roberto Ibarra Lopez, of Texas, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years. (New Position)

Richard James Milgram, of New Mexico, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of three years. (New Position)

Sally Epstein Shaywitz, of Connecticut, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of three years. (New Position)

Joseph K. Torgesen, of Florida, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of four years. (New Position)

Herbert John Walberg, of Illinois, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of three years. (New Position)

Ann M. Corkery, of Virginia, to be an Alternate Representative of the United States of America to the Fifty-eighth Session of the General Assembly of the United Nations.

Walid Maalouf, of Virginia, to be an Alternate Representative of the United States of America to the Fifty-eighth Session of the General Assembly of the United Nations.

Jack Edwin McGregor, of Connecticut, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

Scott Kevin Walker, of Wisconsin, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

Curtis V. Gomez, of Virgin Islands, to be Judge for the District Court of the Virgin Islands for a term of ten years.

Paul Jones, of Colorado, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2008.

Lisa Kruska, of Virginia, to be an Assistant Secretary of Labor.

Claudia Puig, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2008.

Stephen L. Johnson, of Maryland, to be Deputy Administrator of the Environmental Protection Agency.

Charles Johnson, of Utah, to be Chief Financial Officer, Environmental Protection Agency.

Cynthia Boich, of California, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2007.

Dorothy A. Johnson, of Michigan, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2007 (Reappointment), to which position she was appointed during the last recess of the Senate.

Henry Lozano, of California, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2008.

Gerard Schwarz, of Washington, to be a Member of the National Council on the Arts for the remainder of the term expiring September 3, 2006.

David Safavian, of Michigan, to be Administrator for Federal Procurement Policy.

Neil McPhie, of Virginia, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2009.

James C. Miller III, of Virginia, to be a Governor of the United States Postal Service for the term expiring December 8, 2010.

Linda Mysliwy Conlin, of New Jersey, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2007.

Pamela M. Iovino, of the District of Columbia, to be an Assistant Secretary of Veterans Affairs (Congressional Affairs).

Sue Ellen Wooldridge, of Virginia, to be Solicitor of the Department of the Interior.

William T. Hiller, of Ohio, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2006. (Reappointment)

Juan R. Olivarez, of Michigan, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2006. (Reappointment)

Maria Otero, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2007. (Reappointment)

Isaac Fulwood, Jr., of the District of Columbia, to be a Commissioner of the United States Parole Commission for a term of six years.

Raymond L. Finch, of the Virgin Islands, to be Judge for the District Court of the Virgin Islands for a term of ten years. (Reappointment)

Mark Falcoff, of California, to be a Member of the National Security Education Board for a term of four years.

Dawn A. Tisdale, of Texas, to be a Commissioner of the Postal Rate Commission for a term expiring November 22, 2006.

Cathy M. MacFarlane, of Virginia, to be an Assistant Secretary of Housing and Urban Development.

Dennis C. Shea, of Virginia, to be an Assistant Secretary of Housing and Urban Development.

Ricardo H. Hinojosa, of Texas, to be Chair of the United States Sentencing Commission.

Michael O'Neill, of Maryland, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2009. (Reappointment)

Theodore William Kassinger, of Maryland, to be Deputy Secretary of Commerce.

Neil McPhie, of Virginia, to be Chairman of the Merit Systems Protection Board.

Edward R. McPherson, of Texas, to be Under Secretary of Education.

Ann R. Klee, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency.

Benjamin Grumbles, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency.

Romolo A. Bernardi, of New York, to be Deputy Secretary of Housing and Urban Development.

Mary J. Schoelen, of the District of Columbia, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

Jonathan W. Dudas, of Virginia, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

Otis Webb Brawley, Jr., of Georgia, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring June 20, 2009. (Reappointment)

Vinicio E. Madrigal, of Louisiana, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring June 20, 2009. (Reappointment)

Benjamin H. Wu, of Maryland, to be Assistant Secretary of Commerce for Technology Policy.

Suedeen G. Kelly, of New Mexico, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2009. (Reappointment)

Patrick P. O'Carroll, Jr., of Maryland, to be Inspector General, Social Security Administration.

Barbara J. Sapin, of Maryland, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2007.

Raquel Egusquiza, of Michigan, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring October 13, 2005. (Prior to this action, Committee on Health, Education, Labor and Pensions was discharged from further consideration.)

Julia L. Wu, of California, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring February 4, 2008.

Constance Berry Newman, Assistant Secretary of State (African Affairs), to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 27, 2009.

Edward Brehm, of Minnesota, to be a Member of the Board of Directors of the African Development Foundation for a term expiring November 13, 2007.

John D. Rood, of Florida, to be Ambassador to the Commonwealth of The Bahamas.

Joseph F. Bader, of the District of Columbia, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2007.

Brett T. Palmer, of New York, to be an Assistant Secretary of Commerce.

Timothy S. Bitsberger, of Massachusetts, to be an Assistant Secretary of the Treasury.

James R. Kunder, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Eugene Hickok, of Pennsylvania, to be Deputy Secretary of Education.

Edward R. McPherson, of Texas, to be Under Secretary of Education.

Mark D. Gearan, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Services for a term of one year. (New Position)

Leona White Hat, of South Dakota, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2008.

Milton Aponte, of Florida, to be a Member of the National Council On Disability for a term expiring September 17, 2006. (Reappointment)

Robert Davila, of New York, to be a Member of the National Council On Disability for a term expiring September 17, 2006. (Reappointment)

Young Woo Kang, of Indiana, to be a Member of the National Council On Disability for a term expiring September 17, 2006. (Reappointment)

Kathleen Martinez, of California, to be a Member of the National Council On Disability for a term expiring September 17, 2006. (Reappointment)

Linda Wetters, of Ohio, to be a Member of the National Council On Disability for a term expiring September 17, 2006. (Reappointment)

Carin M. Barth, of Texas, to be Chief Financial Officer, Department of Housing and Urban Development.

John H. Hager, of Virginia, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education.

Herman Belz, of Maryland, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Tamar Jacoby, of New Jersey, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Craig Haffner, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

James Davidson Hunter, of Virginia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Harvey Klehr, of Georgia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Thomas K. Lindsay, of Texas, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Iris Love, of Vermont, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Thomas Mallon, of Connecticut, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010. (Reappointment)

Ricardo Quinones, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Robert Cramer Balfe III, of Arkansas, to be United States Attorney for the Western District of Arkansas for the term of four years.

David E. Nahmias, of Georgia, to be United States Attorney for the Northern District of Georgia for the term of four years.

Charles Graves Untermeyer, of Texas, to be Ambassador to the State of Qatar.

Aldona Wos, of North Carolina, to be Ambassador to the Republic of Estonia.

Carol D'Amico, of Indiana, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years. (New Position)

Micaela Alvarez, of Texas, to be United States District Judge for the Southern District of Texas.

Albert A. Frink, Jr., of California, to be an Assistant Secretary of Commerce.

Robert Allen Pittman, of Florida, to be an Assistant Secretary of Veterans Affairs (Human Resources and Administration).

Beverly Allen, of Georgia, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2008.

Gail Daly, of Texas, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2008. (New Position)

Donald Leslie, of Wisconsin, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2006. (New Position)

Amy Owen, of Utah, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2008. (New Position)

Sandra Pickett, of Texas, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2005. (New Position)

Renee Swartz, of New Jersey, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2007. (New Position)

Kim Wang, of California, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2004. (New Position)

Keith Starrett, of Mississippi, to be United States District Judge for the Southern District of Mississippi.

James Ballinger, of Arizona, to be a Member of the National Council on the Arts for a term expiring September 3, 2010.

Terence Alan Teachout, of New York, to be a Member of the National Council on the Arts for a term expiring September 3, 2010.

Ruben Castillo, of Illinois, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2009. (Reappointment)

Lloyd O. Pierson, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Lloyd O. Pierson, an Assistant Administrator of the United States Agency for International Development, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2009.

Sharon Brown-Hruska, of Virginia, to be a Commissioner of the Commodity Futures Trading Commission for the term expiring April 13, 2009. (Reappointment) (Prior to this action, Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

James S. Simpson, of New York, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

Hector E. Morales, of Texas, to be United States Executive Director of the Inter-American Development Bank for a term of three years.

Christopher A. Boyko, of Ohio, to be United States District Judge for the Northern District of Ohio.

Lisa Godbey Wood, of Georgia, to be United States Attorney for the Southern District of Georgia for the term of four years.

Richard B. Roper III, of Texas, to be United States Attorney for the Northern District of Texas for the term of four years.

Yousif B. Ghafari, of Michigan, to be an Alternate Representative of the United States of America to the Fifty-ninth Session of the General Assembly of the United Nations.

Jane Dee Hull, of Arizona, to be a Representative of the United States of America to the Fifty-ninth Session of the General Assembly of the United Nations.

Anna Escobedo Cabral, of Virginia, to be Treasurer of the United States.

Douglas Menarchik, of Texas, to be an Assistant Administrator of the United States Agency for International Development.

Catherine Todd Bailey, of Kentucky, to be Ambassador to the Republic of Latvia.

Jon D. Leibowitz, of Maryland, to be a Federal Trade Commissioner for a term of seven years from September 26, 2003.

Deborah P. Majoras, of Virginia, to be a Federal Trade Commissioner for the unexpired term of seven years from September 26, 2001.

Richard Kenneth Wagner, of Florida, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2006.

Michael J. Harrison, of Connecticut, to be an Assistant Secretary of Agriculture.(Prior to this action, Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

Arden Bement, Jr., of Indiana, to be Director of the National Science Foundation for a term of six years.

Susan L. Moore, of Texas, to be an Alternate Representative of the United States of America to the Fifty-ninth Session of the General Assembly of the United Nations.

Beryl A. Howell, of the District of Columbia, to be a Member of the United States Sentencing Commission for the remainder of the term expiring October 31, 2005.

William A. Moorman, of Virginia, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

Dan Arvizu, of Colorado, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Steven C. Beering, of Indiana, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010. (Reappointment)

Gerald Wayne Clough, of Georgia, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Kelvin Kay Droegemeier, of Oklahoma, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Louis J. Lanzerotti, of New Jersey, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Alan I. Leshner, of Maryland, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Jon C. Strauss, of California, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Kathryn D. Sullivan, of Ohio, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Frederick William Hatfield, of California, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2008. (Prior to this action, Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

Dallas Tonsager, of South Dakota, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, for a term expiring May 21, 2010. (Prior to this action, Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

Michael V. Dunn, of Iowa, to be a Commissioner of the Commodity Futures Trading Commission for the remainder of the term expiring June 19, 2006. (Prior to this action, Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

Ernest J. Wilson III, of Maryland, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2010. (Reappointment)

Harold Jennings Creel, Jr., of South Carolina, to be a Federal Maritime Commissioner for the term expiring June 30, 2009. (Reappointment)

Jonathan Steven Adelstein, of South Dakota, to be a Member of the Federal Communications Commission for a term expiring June 30, 2008. (Reappointment)

Sharon Tucker, of Georgia, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2005.

Edward Alton Parrish, of Virginia, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring April 17, 2008. (Prior to this action, Committee on Health, Education, Labor and Pensions was discharged from further consideration.)

Laurie Stenberg Nichols, of South Dakota, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring March 3, 2010.

Mimi Mager, of the District of Columbia, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring December 27, 2007.

Jacob Joseph Lew, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2008.

Patricia Cushwa, of Maryland, to be a Commissioner of the United States Parole Commission for a term of six years. (Prior to this action, Committee on the Judiciary was discharged from further consideration.)

2 Air Force nominations in the rank of general.

4 Army nominations in the rank of general.

Routine lists in the Coast Guard, Foreign Service.

Page 25373

Messages From the House: Page 25327

Executive Communications: Page 25328

Additional Cosponsors: Page 25329

Statements on Introduced Bills/Resolutions: Page 25329

Additional Statements: Page 25324

Amendments Submitted: Page 25335

Record Votes: One record vote was taken today. (Total—215) Page 25292

Adjournment: Senate convened at 11 a.m. and adjourned at 12:31 a.m., on Sunday, November 21, 2004, until 5 p.m., on Wednesday, November 24, 2004, or until 9:30 a.m., on Tuesday, December 7, 2004, in accordance with the provisions of H. Con. Res. 529. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 25373.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 3 public bills, H.R. 5419–5421; and 4 resolutions, H. Con. Res. 528–530, and H. Res. 867 were introduced. Page 25188

Additional Cosponsors: Page 25188

Reports Filed: Reports were filed today as follows:

H.R. 885, to provide for adjustments to the Central Arizona Project in Arizona, to authorize the Gila River Indian Community water rights settlement, to reauthorize and amend the Southern Arizona Water Rights Settlement Act of 1982, amended (H. Rept. 108–793); and

H. Res. 866, waiving points of order against the conference report to accompany H.R. 4818, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and providing for consideration of H.J. Res. 114, making further continuing appropriations for the fiscal year 2005 (H. Rept. 108–794). Page 25187

Speaker: Read a letter from the Speaker wherein he appointed Representative Ose to act as Speaker Pro Tempore for today. Page 25035

Foreign Operations, Export Financing, and Related Programs Appropriations Act for FY05—Conference Report: The House agreed to the conference report to accompany H.R. 4818, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, by a yea and nay vote of 344 yeas to 51 nays and one voting "present", Roll No. 542. Page 25163

H. Res. 846, the rule waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, was agreed to by a yea and nay vote of 234 yeas to 159 nays, Roll No. 538. Pages 25035, 25040

H. Res. 866, the rule providing for consideration of the conference report, was agreed to by a yea and nay vote of 233 yeas to 158 nays, Roll No. 540. Pages 25041, 25051

Agreed to the Putnam amendment to H. Res. 866 by voice vote. Page 25050

Continuing Appropriations for FY05: The House agreed to H.J. Res. 114, making further continuing appropriations for the fiscal year 2005, by voice vote. Page 25041

H. Res. 866, the rule providing for consideration of the resolution, was agreed to by a yea and nay vote of 233 yeas to 158 nays, Roll No. 540. Pages 25041, 25051

Agreed to the Putnam amendment to H. Res. 866 by voice vote. Page 25050

Recess: The House recessed at 9:46 a.m. and reconvened at 10:34 a.m. Page 25040

Recess: The House recessed at 12:34 p.m. and reconvened at 1:56 p.m. Page 25051

Suspensions: The House agreed to suspend the rules and pass the following measures which were debated yesterday, November 19:

Recognizing the Boy Scouts of America: H. Res. 853, recognizing the Boy Scouts of America for the public service the organization performs for neighborhoods and communities across the United States, by a ⅔ yea and nay vote of 391 yeas to 3 nays, Roll No. 539; and Page 25040

Promoting the development of the emerging commercial human space flight industry: H.R. 5382, to promote the development of the emerging commercial human space flight industry, by a ⅔ yea and nay vote of 269 yeas to 120 nays, Roll No. 541. Page 25052

Adjournment Resolution: The House agreed to H. Con. Res. 529, providing for the conditional adjournment of the House and conditional adjournment or recess of the Senate. Page 25164

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Wednesday, November 24, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 529, in which case it shall stand adjourned pursuant to that resolution. Page 25164

Harmful Algal Bloom and Hypoxia Research and Control Act of 1998: The House passed S. 3014, to reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998—clearing the measure for the President. Page 25164

Microenterprise Results and Accountability Act of 2004: The House passed H.R. 3818, to amend the Foreign Assistance Act of 1961 to improve the results and accountability of microenterprise development assistance programs, after agreeing to the Smith of New Jersey amendment in the nature of a substitute. **Page 25166**

Extending the authority of the U.S. District Court for the Southern District of Iowa: The House passed S. 2873, to extend the authority of the United States District Court for the Southern District of Iowa to hold court in Rock Island, Illinois—clearing the measure for the President. **Page 25172**

Amending the Irish Peace Process Cultural and Training Program Act of 1998: Agreed to the Senate amendment to H.R. 2655, to amend and extend the Irish Peace Process Cultural and Training Program Act of 1998—clearing the measure for the President. **Page 25173**

Cooperative Research and Technology Enhancement (CREATE) Act of 2004: The House passed S. 2192, to amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises—clearing the measure for the President. **Page 25174**

Amending the National Telecommunications and Information Administration Organization Act: The House passed H.R. 5419, to amend the National Telecommunications and Information Administration Organization Act to facilitate the reallocation of spectrum from governmental to commercial users; to improve, enhance, and promote the Nation's homeland security, public safety, and citizen activated emergency response capabilities through the use of enhanced 911 services, to further upgrade Public Safety Answering Point capabilities and related functions in receiving E–911 calls, and to support in the construction and operation of a ubiquitous and relable citizen activated system; and to provide that funds received as universal service contributions under section 254 of the Communications Act of 1934 and the universal service support programs established pursuant thereto are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act, for a period of time. **Page 25175**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Wolf, or if not able to perform this duty, Representative Tom Davis (VA) to sign enrolled bills and joint resolutions through December 6, 2004. **Page 25179**

Commission on Systemic Interoperability—Appointment: Read a letter from the Minority Leader wherein she appointed Dr. Simon P. Cohn of Oakland, California to the Commission on Systemic Interoperability. **Page 25179**

Senate Message: Message received from the Senate today appears on page 25050.

Senate Referrals: S. 519, S. 1438, S. 1530, S. 1996, and S. 2605 were referred to the Committee on Resources; S. 2154 was referred to the Committee on the Judiciary; S. 480, S. 2873 and S. 3014 were held on the desk. **Page 25185**

Quorum Calls—Votes: Five yea and nay votes developed during the proceedings of today and appears on pages 25040, 25041, 25051–53, and 25163. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 4:55 p.m.

Committee Meetings

CONFERENCE REPORT—CONSOLIDATED APPROPRIATIONS ACT; CONTINUING APPROPRIATIONS FISCAL YEAR 2005

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 4818, Consolidated Appropriations Act, 2005, and against its consideration. The rule provides that the conference report shall be considered as read. Section 2 of the resolution provides for consideration of H.J. Res. 114, making further continuing appropriations for the fiscal year 2005, under a closed rule. The rule provides one hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the joint resolution. Finally, the rule provides one motion to recommit H.J. Res. 114. Testimony was heard from Chairman Young of Florida.

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Wednesday, November 24, 2004

Senate

Chamber Action

Routine Proceedings, pages 25440–48

Measures Passed:

Continuing Appropriations: Senate passed H.J. Res. 115, making further continuing appropriations for the fiscal year 2005, clearing the measure for the President. **Page 25440**

District of Columbia College Access Act Amendment: Senate passed H.R. 4012, to amend the District of Columbia College Access Act of 1999 to reauthorize for 2 additional years the public school and private school tui-

tion assistance programs established under the Act, after agreeing to the following amendments proposed thereto: Page 25440

McConnell (for Voinovich) Amendment No. 4080, to amend the title. Page 25440

McConnell (for Voinovich) Amendment No. 4081, to reduce extension to 2 years. Page 25440

Adjournment Resolution: Senate concurred in the amendments of the House to the Senate amendment to H. Con. Res. 529, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. Page 25440

Messages From the House: Page 25447

Enrolled Bills Presented: Page 25448

Additional Cosponsors: Page 25448

Additional Statements Page 25442

Amendments Submitted: Page 25448

Adjournment: Senate convened at 5 p.m. and adjourned at 5:06 p.m, on Wednesday, November 24, 2004, until 9:30 a.m., on Tuesday, December 7, 2004, in accordance with the provisions of H. Con. Res. 529. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 25448.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 1 public bill, H.R. 5422; 1 private bill, H.R. 5423; and 1 resolution, H.J. Res. 115, were introduced. Page 25454

Additional Cosponsors: Page 25455

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Tom Davis of Virginia to act as Speaker Pro Tempore for today. Page 25449

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of today and on Wednesday, December 8, 2004. Page 25450

Continuing Appropriations for FY05: The House agreed to H.J. Res. 115, making further continuing appropriations for the fiscal year 2005. Page 25450

Adjournment Resolution Amendment: The House agreed to amend the Senate amendment to H. Con. Res. 529, providing for the conditional adjournment of the House and conditional adjournment or recess of the Senate. Page 25453

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 2 p.m. on Saturday, November 27, 2004, unless it sooner has received a message from the Senate transmitting its concurrence in the House amendment to the Senate amendment to H. Con. Res. 529, in which case the House shall stand adjourned pursuant to the concurrent resolution. Page 25453

Senate Message: Message received from the Senate appears on page 25449.

Senate Referrals: S. 2866 was referred to the Committee on Agriculture; S. 3028 was referred to the Committees on Energy and Commerce and Judiciary; S. 423, S. 2488, S. 2635, S. 2657, S. 3021, S. 3027, and S.J. Res. 42 were held at the desk. Page 25454

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 2:41 p.m.

Committee Meetings

No committee meetings were held.

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Monday, December 6, 2004

Senate

Chamber Action

The Senate was not in session today.

It will next meet on Tuesday, December 7, 2004 at 9:30 a.m.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 6 public bills, H.R. 5424–5429; and 1 resolution, and H. Res. 869, were introduced. Page 25495

Additional Cosponsors: Page 25495

Reports Filed: Reports were filed today as follows:

H. Res. 868, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–795). Page 25495

Speaker: Read a letter from the Speaker wherein he appointed Representative Simpson to act as Speaker Pro Tempore for today. **Page 25466**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Correcting the enrollment of H.R. 4818: Concur in the Senate amendment to H. Con. Res. 528, directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 4818, by a ⅔ yea-and-nay vote of 381 yeas with none voting "nay", Roll No. 543; **Pages 25468, 25487**

Limiting the transfer of certain Commodity Credit Corporation funds: S. 2856, to limit the transfer of certain Commodity Credit Corporation funds between conservation programs for technical assistance for the programs—clearing the measure for the President; **Page 25475**

Federal Employee Dental and Vision Benefits Enhancement Act of 2004: S. 2657, to amend part III of title 5, United States Code, to provide for the establishment of programs under which supplemental dental and vision benefits are made available to Federal employees, retirees, and their dependents, to expand the contracting authority of the Office of Personnel Management—clearing the measure for the President; **Page 25479**

Amending the District of Columbia College Access Act of 1999: Concur in the Senate amendments to H.R. 4012, to amend the District of Columbia College Access Act of 1999 to reauthorize for 2 additional years the public school and private school tuition assistance programs established under the Act—clearing the measure for the President; and **Page 25483**

Amending the Internal Revenue Code of 1986: H.R. 5394, to amend the Internal Revenue Code of 1986 to modify the taxation of arrow components. **Page 25485**

Recess: The House recessed at 3:39 p.m. and reconvened at 6:01 p.m. **Page 25487**

Senate Message: Message received from the Senate appears on page 25466.

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of today and appears on page 25487. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 7:17 p.m.

Committee Meetings

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any resolution reported on the legislative day of December 7, 2004, providing for consideration or disposition of a conference report to accompany the bill (S. 2845) to reform the intelligence community and the intelligence and the intelligence-related activities of the United States Government, and for other purposes.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED EIGHTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 20 through November 30, 2004

	Senate	*House*	*Total*
Days in session	130	108	..
Time in session	1,009 hrs., 25′	1,872 hrs., 26′	..
Congressional Record:			
Pages of proceedings	11,845	10,895	..
Extensions of Remarks	..	2,144	..
Public bills enacted into law	62	169	..
Private bills enacted into law	1	3	..
Bills in conference	10	9	..
Measures passed, total	613	736	1,349
Senate bills	188	84	..
House bills	179	329	..
Senate joint resolutions	6	5	..
House joint resolutions	7	12	..
Senate concurrent resolutions	42	15	..
House concurrent resolutions	38	86	..
Simple resolutions	153	207	..
Measures reported, total	*317	*372	689
Senate bills	227	18	..
House bills	62	246	..
Senate joint resolutions	5	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	6	..	..
House concurrent resolutions	2	6	..
Simple resolutions	15	101	..
Special reports	8	4	..
Conference reports	1	13	..
Measures pending on calendar	298	162	..
Measures introduced, total	1,304	2,320	3,624
Bills	1,024	1,724	..
Joint resolutions	16	32	..
Concurrent resolutions	65	182	..
Simple resolutions	199	382	..
Quorum calls	1	1	..
Yea-and-nay votes	215	312	..
Recorded votes	..	229	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 199 reports have been filed in the Senate, a total of 389 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 20 through November 30, 2004

Civilian nominations totaling 531 (including 195 nominations carried over from the First Session), disposed of as follows:	
Confirmed	333
Unconfirmed	172
Withdrawn	23
Returned to White House	3
Other Civilian Nominations, totaling 4,080 (including 5 nominations carried over from the First Session) disposed of as follows:	
Confirmed	3,768
Unconfirmed	311
Withdrawn	1
Air Force nominations, totaling 9,649 (including 3,572 nominations carried over from the First Session), disposed of as follows:	
Confirmed	5,777
Unconfirmed	3,870
Withdrawn	2
Army nominations, totaling 5,918 (including 594 nominations carried over from the First Session), disposed of as follows:	
Confirmed	5,827
Unconfirmed	91
Navy nominations, totaling 9,819 (including 2,444 nominations carried over from the First Session), disposed of as follows:	
Confirmed	9,803
Unconfirmed	16
Marine Corps nominations, totaling 1,229 (including 2 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,225
Unconfirmed	4

Summary

Total nominations carried over from the First Session	6,812
Total nominations received this Session	24,414
Total confirmed	26,733
Total unconfirmed	4,464
Total withdrawn	26
Total returned to the White House	3

Tuesday, December 7, 2004

Senate

Chamber Action

Routine Proceedings, pages 25520–25602

Measures Introduced: Four bills and three resolutions were introduced, as follows: S. 3029–3032, S. Res. 483–484, and S. Con. Res. 152. **Page 25561**

Measures Reported:

Special Report entitled "Activities of the Committee on Governmental Affairs for the One Hundred Seventh Congress". (S. Rept. No. 108–421)

Report to accompany S. 1380, to distribute universal service support equitably throughout rural America. (S. Rept. No. 108–422)

Report to accompany S. 1963, to amend the Communications Act of 1934 to protect the privacy right of subscribers to wireless communication services. (S. Rept. No. 108–423)

Report to accompany S. 2145, to regulate the unauthorized installation of computer software, to require clear disclosure to computer users of certain computer software features that may pose a threat to user privacy. (S. Rept. No. 108–424)

Report to accompany S. 2281, to provide a clear and unambiguous structure for the jurisdictional and regulatory treatment for the offering or provision of voice-over-Internet-protocol applications. (S. Rept. No. 108–425)

Report to accompany S. 2505, to implement the recommendations of the Federal Communications Commission report to the Congress regarding low power FM service. (S. Rept. No. 108–426)

Report to accompany S. 2644, to amend the Communications Act of 1934 with respect to the carriage of direct broadcast satellite television signals by satellite carriers to consumers in rural areas. (S. Rept. No. 108–427)

Report to accompany S. 2820, to ensure the availability of certain spectrum for public safety entities by amending the Communications Act of 1934 to establish January 1, 2009, as the date by which the transition to digital television shall be completed, and for other purposes. (S. Rept. No. 108–428) **Page 25560**

Measures Passed:

Peleliu Battlefield: Senate passed H.J. Res. 102, recognizing the 60th anniversary of the Battle of Peleliu and the end of Imperial Japanese control of Palau during World War II and urging the Secretary of the Interior to work to protect the historic sites of the Peleliu Battlefield National Historic Landmark and to establish commemorative programs honoring the Americans who fought there, clearing the measure for the President. **Page 25522**

Tibetan Political Prisoners: Senate agreed to S. Res. 483, expressing the sense of the Senate regarding the detention of Tibetan political prisoners by the Government of the People's Republic of China. **Page 25522**

American History and Civics Grants: Senate passed H.R. 5360, to authorize grants to establish academies for teachers and students of American history and civics, clearing the measure for the President. **Page 25523**

Benjamin Franklin Commemorative Coin: Senate passed H.R. 3204, to require the Secretary of the Treasury to mint coins in commemoration of the tercentenary of the birth of Benjamin Franklin, clearing the measure for the President. **Page 25525**

Robert Ray Howe: Senate agreed to S. Res. 484, to honor and thank Robert Ray Howe. **Page 25525**

YMCA Retirement Fund: Senate passed H.R. 5365, to treat certain arrangements maintained by the YMCA Retirement Fund as church plans for the purposes of certain provisions of the Internal Revenue Code of 1986, clearing the measure for the President. **Page 25526**

Iranian Baha'i Community: Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 78, condemning the repression of the Iranian Baha'i community and calling for the emancipation of Iranian Baha'is, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto: **Page 25536**

Thomas (for Lieberman) Amendment No. 4082, to reflect current events. **Page 25536**

Thomas (for Lieberman) Amendment No. 4083, to reflect current events. **Page 25536**

Thrift Savings Fund: Senate passed H.R. 4324, to amend Chapter 84 of title 5, United States Code, to provide for Federal employees to make elections to make, modify, and terminate contributions to the Thrift Savings Fund at any time, clearing the measure for the President. **Page 25537**

Marketing Assistance Loans: Senate passed H.R. 4620, to confirm the authority of the Secretary of Agriculture to collect approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans, clearing the measure for the President. **Page 25539**

Earl B. Gilliam/Imperial Avenue Post Office Building: Senate passed H.R. 5364, to designate the facility of the United States Postal Service located at 5505 Stevens Way in San Diego, California, as the "Earl B. Gilliam/Imperial Avenue Post Office Building", clearing the measure for the President. **Page 25540**

Bill Monroe Post Office: Senate passed H.R. 4968, to designate the facility of the United States Postal Service located at 25 McHenry Street in Rosine, Kentucky, as the "Bill Monroe Post Office", clearing the measure for the President. **Page 25540**

Lieutenant General James V. Edmundson Post Office Building: Senate passed H.R. 4847, to designate the facility of the United States Postal Service located at 560 Bay Isles Road in Longboat Key, Florida, as the "Lieutenant General James V. Edmundson Post Office Building", clearing the measure for the President. **Page 25540**

Irma Rangel Post Office Building: Senate passed H.R. 4829, to designate the facility of the United States Postal Service located at 103 East Kleberg in Kingsville, Texas, as the "Irma Rangel Post Office Building", clearing the measure for the President. **Page 25540**

Adam G. Kinser Post Office Building: Senate passed H.R. 4807, to designate the facility of the United States Postal Service located at 140 Sacramento Street in Rio Vista, California, as the "Adam G. Kinser Post Office Building", clearing the measure for the President. **Page 25540**

Jack Fields Post Office Building: Senate passed H.R. 4232, to redesignate the facility of the United States Postal Service located at 4025 Feather Lakes Way in Kingwood, Texas, as the "Congressman Jack Fields Post Office", clearing the measure for the President. **Page 25540**

Henry Johnson Annex Post Office Building: Senate passed H.R. 480, to redesignate the facility of the United States Postal Service located at 747 Broadway in Albany, New York, as the "United States Postal Service Henry Johnson Annex", clearing the measure for the President. **Page 25540**

Donald G. Brotzman Post Office Building: Senate passed H.R. 5370, to designate the facility of the United States Postal Service located at 4985 Moorhead Avenue in Boulder, Colorado, as the "Donald G. Brotzman Post Office Building", clearing the measure for the President. **Page 25540**

Hipolito F. Garcia Federal Building and United States Courthouse: Committee on Environment and Public Works was discharged from further consideration of H.R. 3884, to designate the Federal building and United States courthouse located at 615 East Houston Street in San Antonio, Texas, as the "Hipolito F. Garcia Federal Building and United States Courthouse", and the bill was then passed, clearing the measure for the President. **Page 25540**

James V. Hansen Federal Building: Committee on Environment and Public Works was discharged from further consideration of H.R. 3147, to designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the "James V. Hansen Federal Building", and the bill was then passed, clearing the measure for the President. **Page 25540**

Tomochichi United States Courthouse: Committee on Environment and Public Works was discharged from further consideration of H.R. 2523, to designate the United States courthouse located at 125 Bull Street in Savannah, Georgia, as the "Tomochichi United States Courthouse", and the bill was then passed, clearing the measure for the President. **Page 25540**

Joe Skeen Federal Building: Senate passed H.R. 3734, to designate the Federal building located at Fifth and Richardson Avenues in Roswell, New Mexico, as the "Joe Skeen Federal Building", clearing the measure for the President. **Page 25541**

F.H. Newell Building: Senate passed H.R. 3124, to designate the facility of the United States Geological Survey and the United States Bureau of Reclamation located at 230 Collins Road, Boise, Idaho, as the "F.H. Newell Building", clearing the measure for the President. **Page 25541**

Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment: Senate passed H.R. 620, to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing educational services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, after agreeing to the committee amendment in the nature of a substitute, and after agreeing to the following amendments proposed thereto: **Page 25541**

Alexander (for Domenici) Amendment No. 4084, in the nature of a substitute. **Page 25542**

Oxford Research Station: Senate passed H.R. 2119, to provide for the conveyance of Federal lands, improvements, equipment, and resource materials at the Oxford Research Station in Granville County, North Carolina, to the State of North Carolina, clearing the measure for the President. **Page 25542**

Speciality Crops Competitiveness Act: Senate passed H.R. 3242, to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the competitiveness of United States-grown specialty crops, clearing the measure for the President. **Page 25542**

National Intelligence Reform Act: A unanimous-consent agreement was reached providing for the consideration of the conference report to accompany S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, at 9:30 a.m., on Wednesday, December 8, 2004, if received from the House. **Page 25602**

Sudan Crisis Assistance: Senate concurred in the amendment of the House to S. 2781, to express the sense of Congress regarding the conflict in Darfur, Sudan, to provide assistance for the crisis in Darfur and for comprehensive peace in Sudan, clearing the measure for the President. Page 25523

Video Voyeurism Prevention Act: Senate concurred in the amendment of the House to S. 1301, to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, clearing the measure for the President. Page 25539

Edward H. McDaniel American Legion Post No. 22 Land Conveyance Act: Senate concurred in the amendments of the House to S. 1521, to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community, with the following amendment. Page 25543

Alexander (for Domenici) Amendment No. 4085 (to the amendment of the House to the text of S. 1521), relative to authorization and appropriation extensions. Page 25545

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

1995 Revision of Radio Regulations (Treaty Doc. No. 108–28).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. Page 25545

Nominations Received: Senate received the following nominations:

James William Carr, of Arkansas, to be a Member of the National Security Education Board for a term of four years.

George M. Dennison, of Montana, to be a Member of the National Security Education Board for a term of four years.

Andrew J. McKenna, Jr., of Illinois, to be a Member of the National Security Education Board for a term of four years.

Harry Robinson, Jr., of Texas, to be a Member of the National Museum Services Board for a term expiring December 6, 2008. (Reappointment)

A routine list in the National Oceanic and Atmospheric Administration. Page 25602

Messages From the House: Page 25559

Enrolled Bills Presented: Page 25560

Executive Communications: Page 25560

Additional Cosponsors: Page 25561

Statements on Introduced Bills/Resolutions: Page 25562

Additional Statements: Page 25557

Amendments Submitted: Page 25570

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:29 p.m., until 9:30 a.m. on Wednesday, December 8, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 25602.)

Committee Meetings

U.S. AIR FORCE ACADEMY ALLEGATIONS

Committee on Armed Services: Committee met in closed session to receive a briefing regarding the Department of Defense Inspector General Report on allegations of sexual misconduct at the United States Air Force Academy from Joseph E. Schmitz, Inspector General, and Jerry Hansen, Deputy Inspector General, both of the Department of Defense.

House of Representatives

Chamber Action

Measures Introduced: 2 public bills, H.R. 5430–5431; and 8 resolutions, H. Con. Res. 531–532, and H. Res. 870–875 were introduced. Page 25736

Additional Cosponsors: Page 25737

Reports Filed: Reports were filed today as follows:

Conference report on S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government (H. Rept. 108–796);

H. Res. 870, waiving points of order against the conference report to accompany S. 2845, to reform the intelligence community and the intelligence-related activities of the United States Government (H. Rept. 108–797); and

Conference report on H.R. 4548, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System (H. Rept. 108–798). Page 25736

Speaker: Read a letter from the Speaker wherein he appointed Representative Ose to act as Speaker Pro Tempore for today. Page 25603

Chaplain: The prayer was offered today by Rev. Stanley G. Peterson, Senior Pastor, Monmouth Christian Church in Monmouth, Oregon. Page 25604

Recess: The House recessed at 9:07 a.m. and reconvened at 10 a.m. Page 25604

Private Calendar: On the call of the Private Calendar, the House passed over without prejudice H.R. 710, for the relief of Mrs. Florence Narusewicz of Erie, Pennsylvania. Page 25605

Recess: The House recessed at 10:15 a.m. and reconvened at 1:25 p.m. Page 25605

Intelligence Authorization Act for FY 2005: The House disagreed to the Senate amendment to H.R. 4548, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and agreed to a conference. Page 25605

Appointed as conferees: from the Permanent Select Committee on Intelligence, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Representatives Hoekstra, Boehlert, Gibbons, LaHood, Cunningham, Burr, Everett, Gallegly, Collins, Jo Ann Davis (VA), Thornberry, Harman, Hastings (FL), Reyes, Boswell, Peterson (MN), Cramer, Eshoo, Holt, and Ruppersberger. Page 25605

From the Committee on Armed Services for consideration of defense tactical intelligence and related activities: Representatives Hunter, Weldon (PA), and Skelton. Page 25605

Later the House agreed to the conference report to accompany H.R. 4548 by voice vote. Page 25717

Recess: The House recessed at 1:27 p.m. and reconvened at 2:58 p.m. Page 25605

National Intelligence Reform Act of 2004: The House agreed to the conference report to accompany S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, by a recorded vote of 336 ayes to 75 noes, Roll No. 544. Pages 25605, 25681

Rejected the Hoyer motion to recommit the conference report to the committee of conference by voice vote. Page 25706

H. Res. 868, the resolution waiving a requirement of clause 6(a) of rule XIII with respect to the same day consideration of certain resolutions reported by the Rules Committee, was agreed to by voice vote. Page 25671

H. Res. 870, the rule providing for consideration of the conference report, was agreed to by voice vote. Page 25672

Recess: The House recessed at 3:09 p.m. and reconvened at 4:33 p.m. Page 25672

Printing of the Rules and Manual of the House for the 109th Congress: The House agreed to H. Res. 871, providing for the printing of a revised edition of the Rules and Manual of the House of Representatives for the One Hundred Ninth Congress. Page 25707

Committee to Notify the President: The House agreed to H. Res. 872, providing for a committee of two Members to be appointed by the House to join a similar committee appointed by the Senate, to wait upon the President to inform him that the two Houses have completed their business of the session and are ready to adjourn, unless the President has some other communication to make to them. Subsequently the Speaker appointed Majority Leader DeLay and Minority Leader Pelosi to the committee. Page 25707

Extension of Remarks: Agreed that the Chairman and ranking minority Member of each standing committee and each subcommittee be permitted to extend their remarks in the Record, up to and including the Record's last publication, and to include a summary of the work of that committee or subcommittee. Page 25708

Also agreed that Members may have until publication of the last edition of the Congressional Record authorized for the Second Session of the One Hundred Eighth Congress by the Joint Committee on Printing to revise and extend their remarks and to include brief, related extraneous material on any matter occurring before the adjournment of the Second Session Sine Die. Page 25708

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Gilchrest or, if he is not available to perform this duty, Representative Tom Davis of Virginia to act as Speaker pro tempore to sign enrolled bills and joint resolutions through the remainder of the second session of the One Hundred Eighth Congress. Page 25708

Adjournment Resolution: The House agreed to H. Con. Res. 531, providing for the sine die adjournment of the One Hundred Eighth Congress, Second Session. Page 25708

Adjournment Sine Die Pending Receipt of Senate Message: Agreed that when the House adjourn today, it adjourn to meet at 2 p.m. on Friday, December 10, 2004, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 531, in which case the House shall stand adjourned sine die pursuant to that concurrent resolution. Page 25708

American Bald Eagle Recovery and National Emblem Commemorative Coin Act: The House agreed to H.R. 4116, to require the Secretary of the Treasury to mint coins celebrating the recovery and restoration of the American bald eagle, the national symbol of the United States, to America's lands, waterways, and skies and the great importance of the designation of the American bald eagle as an "endangered" species under the Endangered Species Act of 1973. Page 25718

Agreed to the LaTourette amendment in the nature of a substitute. Page 25719

Authorizing technical corrections to the Coast Guard and Maritime Transportation Act of 2004: The House agreed to H.R. 5426, to make technical corrections relating to the Coast Guard and Maritime Transportation Act of 2004. **Page 25720**

Commending the Aero Squad After School Program at Tomorrow's Aeronautical Museum in Compton, California: The House agreed to H. Con. Res. 532, commending the Aero Squad After School Program at Tomorrow's Aeronautical Museum in Compton, California, as well as other youth aviation programs that expose young minorities to the field of civil aviation. **Page 25721**

Senate Message: Message received from the Senate today appears on page 25727.

Senate Referrals: S. Con. Res. 78 was held at the desk. **Page 25727**

Quorum Calls—Votes: One recorded vote developed during the proceedings of today and appears on page 25707. There were no quorum calls.

Adjournment: The House met at 9 a.m. and at 8:38 p.m. pursuant to the previous order of the House of today, the House stands adjourned until 2 p.m. on Friday, December 10, 2004, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 531, in which case the House shall stand adjourned for the second session of the One Hundred Eighth Congress sine die pursuant to that concurrent resolution.

Committee Meetings

"MEDICAID PRESCRIPTION DRUG REIMBURSEMENT: WHY THE GOVERNMENT PAYS TOO MUCH"

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Medicaid Prescription Drug Reimbursement: Why the Government Pays too Much." Testimony was heard from the following officials of the Centers for Medicare and Medicaid Services, Department of Health and Human Services: Dennis Smith, Director, Center for Medicaid and State Operations; and George Reeb, Assistant Inspector, Audits; the following officials of the State of Texas: David J. Balland, Associate Commissioner, Medicaid and CHIP, Health and Human Services Commission; and Patrick O'Connell, Assistant Attorney General, Civil Medicaid Fraud Section, Office of the Attorney General; Paul Reinhart, Medicaid Director, State of Michigan; and public witnesses.

UKRAINE'S ELECTION: NEXT STEPS

Committee on International Relations: Held a hearing on Ukraine's Election: Next Steps. Testimony was heard from Senator Lugar; Representative Kaptur; and John F. Tefft, Deputy Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State.

CONFERENCE REPORT—NATIONAL INTELLIGENCE REFORM ACT OF 2004

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany S. 2845, National Intelligence Reform Act of 2004, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Hoekstra and Representative Harmon.

Joint Meetings

INTELLIGENCE AUTHORIZATION ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 4548, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System.

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Wednesday, December 8, 2004

Senate

Chamber Action

Routine Proceedings, pages 25774–25929

Measures Introduced: Three bills and three resolutions were introduced, as follows: S. 3033–3035, and S. Res. 485–487. **Page 25909**

Measures Passed:

Relative to the Death of J. Stanley Kimmitt: Senate agreed to S. Res. 486, relative to the death of J. Stanley Kimmitt, Former Secretary of the Senate. **Page 25856**

Microenterprise Results and Accountability Act: Senate passed H.R. 3818, to amend the Foreign Assistance Act of 1961 to improve the results and accountability of microenterprise development assistance programs, clearing the measure for the President. **Page 25857**

Private Relief: Senate passed S. 3034, for the relief of Susan Overton Huey. **Page 25858**

Wilderness Act Anniversary: Committee on Energy and Natural Resources was discharged from further consideration of S. Res. 387, commemorating the 40th Anniversary of the Wilderness Act, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page 25858**

Frist (for Bingaman/Feingold) Amendment No. 4087 (to the preamble), to add additional history relating to the wilderness. Page 25858

Atomic Energy Act of 1954 Recognition: Committee on Environment and Public Works was discharged from further consideration of S. Con. Res. 151, recognizing the essential role that the Atomic Energy Act of 1954 has played in development of peaceful uses of atomic energy, and the resolution was then agreed to. Page 25859

Kilauea Point National Wildlife Refuge Expansion Act: Committee on Environment and Public Works was discharged from further consideration of H.R. 2619, to provide for the expansion of Kilauea Point National Wildlife Refuge, and the bill was then passed, clearing the measure for the President. Page 25859

Junk Fax Prevention Act: Senate passed S. 2603, to amend section 227 of the Communications Act of 1934 (47 U.S.C. 227) relating to the prohibition on junk fax transmissions, after agreeing to the following amendment proposed thereto: Page 25859

Frist (for McCain/Cornyn) Amendment No. 4086, in the nature of a substitute. Page 25859

Castillo de San Marcos National Monument Boundary Adjustment Act: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 2457, to authorize funds for an educational center for the Castillo de San Marcos National Monument, and the bill was then passed, clearing the measure for the President. Page 25859

Everglades National Park Land Exchange: Senate passed H.R. 3785, to authorize the exchange of certain land in Everglades National Park, clearing the measure for the President. Page 25859

U.S. Justices Judges Salary Adjustments: Senate passed H.R. 5363, to authorize salary adjustments for Justices and judges of the United States for fiscal year 2005, clearing the measure for the President. Page 25859

American Bald Eagle Recovery and National Emblem Commemorative Coin Act: Senate passed H.R. 4116, to require the Secretary of the Treasury to mint coins celebrating the recovery and restoration of the American bald eagle, the national symbol of the United States, to America's lands, waterways, and skies and the great importance of the designation of the American bald eagle as an "endangered" species under the Endangered Species Act of 1973, clearing the measure for the President. Page 25860

Ukraine Elections: Senate agreed to S. Res. 487, expressing the sense of the Senate regarding the November 21, 2004, Presidential runoff election in Ukraine. Page 25860

Private Relief: Committee on the Judiciary was discharged from further consideration of H.R. 530, for the relief of Tanya Andrea Goudeau, and the bill was then passed, clearing the measure for the President. Page 25861

Sudden Oak Death Syndrome Control: Senate passed H.R. 4569, to provide for the development of a national plan for the control and management of Sudden Oak Death, a tree disease caused by the fungus-like pathogen Phytophthora ramorum, clearing the measure for the President. Page 25866

Sudden Oak Death Syndrome Control Act: Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration of S. 2575, to direct the Secretary of Agriculture to conduct research, monitoring, management, treatment, and outreach activities relating to sudden oak death syndrome and to convene regular meetings of, or conduct regular consultations with, Federal, State, tribal, and local government officials to provide recommendations on how to carry out those activities, and the bill was then passed. Page 25866

District of Columbia Retirement Protection Improvement Act: Senate passed H.R. 4657, to amend the Balanced Budget Act of 1997 to improve the administration of Federal pension benefit payments for District of Columbia teachers, police officers, and firefighters, clearing the measure for the President. Page 25867

Anticounterfeiting Act: Committee on the Judiciary was discharged from further consideration of S. 2227, to prevent and punish counterfeiting and copyright piracy, and the bill was then passed. Page 25867

Anti-Counterfeiting Amendment Act: Committee on the Judiciary was discharged from further consideration of H.R. 3632, to prevent and punish counterfeiting of copyrighted copies and phono records, and the bill was then passed, clearing the measure for the President. Page 25867

Eisenhower Exchange Fellowship Program Trust Fund Enhancement Act: Committee on Foreign Relations was discharged from further consideration of H.R. 2121, to amend the Eisenhower Exchange Fellowship Act of 1990 to authorize additional appropriations for the Eisenhower Exchange Fellowship Program Trust Fund, and the bill was then passed, after agreeing to the following amendment proposed thereto: Page 25869

Frist (for Roberts) Amendment No. 4088, to remove a fiscal year limitation from an authorization of appropriations. Page 25869

Arrow Components Taxation: Senate passed H.R. 5394, to amend the Internal Revenue Code of 1986 to modify the taxation of arrow components, clearing the measure for the President. Page 25869

Public Health Service Act Amendment: Senate passed H.R. 5204, to amend section 340E of the Public Health Service Act (relating to children's hospitals) to modify

provisions regarding the determination of the amount of payments for indirect expenses associated with operating approved graduate medical residency training programs, clearing the measure for the President. Page 25869

University of Miami Marine Life Science Center: Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 4027, to authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center, and the bill was then passed, clearing the measure for the President. Page 25869

Commercial Space Launch Amendments Act: Senate passed H.R. 5382, to promote the development of the emerging commercial human space flight industry, clearing the measure for the President. Page 25869

Enhance 911 Act: Senate passed H.R. 5419, to amend the National Telecommunications and Information Administration Organization Act to facilitate the reallocation of spectrum from governmental to commercial users; to improve, enhance, and promote the Nation's homeland security, public safety, and citizen activated emergency response capabilities through the use of enhanced 911 services, to further upgrade Public Safety Answering Point capabilities and related functions in receiving E–911 calls, and to support in the construction and operation of a ubiquitous and reliable citizen activated system; and to provide that funds received as universal service contributions under section 254 of the Communications Act of 1934 and the universal service support programs established pursuant thereto are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act, for a period of time, clearing the measure for the President. Page 25925

Sine Die Adjournment: Senate agreed to H. Con. Res. 531, providing for the sine die adjournment of the second session of the One Hundred Eighth Congress. Page 25925

National Intelligence Reform Act Conference Report: By 89 yeas to 2 nays (Vote No. 216), Senate agreed to the conference report to accompany S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, clearing the measure for the President. Page 25775

Intelligence Authorization Act Conference Report: Senate agreed to the conference report to accompany H.R. 4548, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, clearing the measure for the President. Page 25859

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. Page 25861

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader be authorized to sign duly enrolled bills or joint resolutions. Page 25861

Nominations Confirmed: Senate confirmed the following nominations:

Susan Johnson Grant, of Virginia, to be Chief Financial Officer, Department of Energy.

William Sanchez, of Florida, to be Special Counsel for Immigration-Related Unfair Employment Practices for a term of four years.

Veronica Vargas Stidvent, of Texas, to be an Assistant Secretary of Labor. (Prior to this action, Committee on Health, Education, Labor and Pensions was discharged from further consideration).

Karen Alderman Harbert, of the District of Columbia, to be an Assistant Secretary of Energy (International Affairs and Domestic Policy). (Prior to this action, Committee on Energy and Natural Resources was discharged from further consideration).

John S. Shaw, of the District of Columbia, to be an Assistant Secretary of Energy (Environment, Safety and Health). (Prior to this action, Committee on Energy and Natural Resources was discharged from further consideration).

Routine lists in the Foreign Service. (Prior to this action, Committee on Foreign Relations was discharged from further consideration). Page 25929

Nominations Returned to the President: Page 25927

Messages From the House: Page 25901

Measures Referred: Page 25902

Executive Communications: Page 25902

Additional Cosponsors: Page 25910

Statements on Introduced Bills/Resolutions: Page 25910

Additional Statements: Page 25893

Amendments Submitted: Page 25913

Privilege of the Floor: Page 25925

Record Votes: One record vote was taken today. (Total—216) Page 25849

Adjournment: Senate met at 9:30 a.m., and, in accordance with the provisions of H. Con. Res. 531, adjourned

sine die at 10:54 p.m., on Wednesday, December 8, 2004, until 12 noon, on January 4, 2005.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 12 noon on Tuesday, January 4, 2005 for the convening of the One Hundred Ninth Congress.

Committee Meetings

No committee meetings were held.

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Monday, December 20, 2004

Senate

Chamber Action

The Senate was not in session today. It will next meet on Tuesday, January 4, 2005 at 12 noon.

Enrolled Bills Presented: **Page 25939**

Enrolled Bills Signed: **Page 25939**

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 12 noon on Tuesday, January 4, 2005 for the convening of the One Hundred Ninth Congress.

Committee Meetings

No committee meetings were held.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED EIGHTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 7 through December 9, 2003

	Senate	*House*	*Total*
Days in session	167	133	..
Time in session	1,454 hrs., 05′	1,014 hrs., 39′	..
Congressional Record:			
Pages of proceedings	16,221	12,928	..
Extensions of Remarks	..	2,559	..
Public bills enacted into law	62	136	198
Private bills enacted into law	0	0	0
Bills in conference	22	8	..
Measures passed, total	590	674	1,264
Senate bills	183	59	..
House bills	134	286	..
Senate joint resolutions	5	3	..
House joint resolutions	15	20	..
Senate concurrent resolutions	37	8	..
House concurrent resolutions	33	77	..
Simple resolutions	183	221	..
Measures reported, total	*352	*375	727
Senate bills	240	11	..
House bills	46	233	..
Senate joint resolutions	4	1	..
House joint resolutions	0	3	..
Senate concurrent resolutions	10	0	..
House concurrent resolutions	1	9	..
Simple resolutions	51	118	..
Special reports	18	6	..
Conference reports	3	24	..
Measures pending on calendar	153	78	..
Measures introduced, total	2,398	4,616	7,014
Bills	2,004	3,700	..
Joint resolutions	26	83	..
Concurrent resolutions	86	348	..
Simple resolutions	283	485	..
Quorum calls	3	2	..
Yea-and-nay votes	459	417	..
Recorded votes	0	258	..
Bills vetoed	0	0	..
Vetoes overridden	0	0	..

*These figures include all measures reported, even if there was no accompanying report. A total of 220 reports have been filed in the Senate, 405 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS
(108–1)

January 7, 2003 through December 31, 2003

Civilian Nominations, totaling 600, disposed of as follows:

Confirmed	378
Unconfirmed	195
Withdrawn	13
Returned to White House	14

Other Civilian Nominations, totaling 2,578, disposed of as follows:

Confirmed	2,573
Unconfirmed	5

Air Force Nominations, totaling 9,068, disposed of as follows:

Confirmed	5,494
Unconfirmed	3,572
Returned to White House	2

Army Nominations, totaling 6,012, disposed of as follows:

Confirmed	5,416
Unconfirmed	594
Returned to White House	2

Navy Nominations, totaling 7,752, disposed of as follows:

Confirmed	5,308
Unconfirmed	2,444

Marine Corps Nominations, totaling 2,413, disposed of as follows:

Confirmed	2,411
Unconfirmed	2

Summary

Total Nominations carried over from the First Session	0
Total Nominations Received this Session	28,423
Total Confirmed	21,580
Total Unconfirmed	6,812
Total Withdrawn	13
Total Returned to the White House	18

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED EIGHTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through December 31, 2004

	Senate	*House*	*Total*
Days in session	133	110	..
Time in session	1,031 hrs., 31′	879 hrs., 3′	..
Congressional Record:			
Pages of proceedings	12,087	11,057	..
Extensions of Remarks	..	2,212	..
Public bills enacted into law	84	216	300
Private bills enacted into law	2	4	6
Bills in conference	10	9	..
Measures passed, total	663	747	1,410
Senate bills	192	86	..
House bills	216	332	..
Senate joint resolutions	6	3	..
House joint resolutions	8	12	..
Senate concurrent resolutions	44	15	..
House concurrent resolutions	39	88	..
Simple resolutions	158	211	..
Measures reported, total	*317	*374	691
Senate bills	227	18	..
House bills	62	246	..
Senate joint resolutions	5	0	..
House joint resolutions	0	1	..
Senate concurrent resolutions	6	0	..
House concurrent resolutions	2	6	..
Simple resolutions	15	103	..
Special reports	9	6	..
Conference reports	2	15	..
Measures pending on calendar	296	161	..
Measures introduced, total	1,318	2,338	3,656
Bills	1,032	1,732	..
Joint resolutions	16	32	..
Concurrent resolutions	66	184	..
Simple resolutions	204	390	..
Quorum calls	1	1	..
Yea-and-nay votes	216	313	..
Recorded votes	0	230	..
Bills vetoed	0	0	..
Vetoes overridden	0	0	..

*These figures include all measures reported, even if there was no accompanying report. A total of 328 reports have been filed in the Senate, 395 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS (108–2)

January 20, 2004 through December 31, 2004

Civilian Nominations, totaling 535 (including 195 nominations carried over from the First Session), disposed of as follows:

Confirmed	338
Withdrawn	23
Returned to White House	174

Other Civilian Nominations, totaling 4,082 (including 5 nominations carried over from the First Session), disposed of as follows:

Confirmed	4,077
Withdrawn	1
Returned to White House	4

Air Force Nominations, totaling 9,649 (including 3,572 nominations carried over from the First Session), disposed of as follows:

Confirmed	5,777
Withdrawn	2
Returned to White House	3,870

Army Nominations, totaling 5,918 (including 594 nominations carried over from the First Session), disposed of as follows:

Confirmed	5,827
Returned to White House	91

Navy Nominations, totaling 9,819 (including 2,444 nominations carried over from the First Session), disposed of as follows:

Confirmed	9,803
Returned to White House	16

Marine Corps Nominations, totaling 1,229 (including 2 nominations carried over from the First Session), disposed of as follows:

Confirmed	1,225
Returned to White House	4

Summary

Total Nominations carried over from the First Session	6,812
Total Nominations Received this Session	24,420
Total Confirmed	27,047
Total Unconfirmed	0
Total Withdrawn	26
Total Returned to the White House	4,159

HISTORY OF BILLS ENACTED INTO PUBLIC LAW

(108th Cong., 2D Sess.)

BILLS ENACTED INTO PUBLIC LAW (108TH, 2D SESSION)

	Law No.
S. 15	108–276
S. 33	108–350
S. 129	108–411
S. 144	108–412
S. 150	108–435
S. 434	108–436
S. 437	108–451
S. 523	108–204
S. 524	108–367
S. 551	108–336
S. 610	108–201
S. 643	108–413
S. 714	108–206
S. 741	108–282
S. 1134	108–373
S. 1146	108–437
S. 1167	108–279
S. 1194	108–414
S. 1233	108–238
S. 1241	108–438
S. 1301	108–495
S. 1368	108–368
S. 1421	108–337
S. 1466	108–152
S. 1537	108–338
S. 1576	108–307
S. 1663	108–339
S. 1687	108–340
S. 1721	108–374
S. 1727	108–439
S. 1778	108–325
S. 1791	108–351
S. 1814	108–341
S. 1848	108–269
S. 1881	108–214
S. 1904	108–225
S. 2017	108–275
S. 2022	108–226
S. 2043	108–227
S. 2052	108–342
S. 2057	108–220
S. 2092	108–235
S. 2136	108–207
S. 2178	108–352
S. 2180	108–346
S. 2192	108–453
S. 2195	108–358
S. 2214	108–440
S. 2231	108–210
S. 2238	108–264
S. 2241	108–211
S. 2264	108–283
S. 2292	108–332
S. 2302	108–441
S. 2315	108–228
S. 2319	108–343
S. 2363	108–344
S. 2415	108–353
S. 2484	108–445
S. 2486	108–454
S. 2507	108–265
S. 2508	108–345
S. 2511	108–354
S. 2618	108–448
S. 2634	108–355
S. 2640	108–442
S. 2657	108–496
S. 2693	108–443
S. 2712	108–301
S. 2742	108–356
S. 2781	108–497
S. 2845	108–458
S. 2856	108–498
S. 2864	108–369
S. 2873	108–455
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S. 2896	108–371
S. 2965	108–444
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H.R. 218	108–277
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H.R. 408	108–229
H.R. 480	108–459
H.R. 506	108–208
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H.R. 743	108–203
H.R. 854	108–347
H.R. 856	108–231
H.R. 884	108–270
H.R. 923	108–232
H.R. 982	108–326
H.R. 1047	108–429
H.R. 1086	108–237
H.R. 1113	108–417
H.R. 1274	108–221
H.R. 1284	108–418
H.R. 1303	108–281
H.R. 1308	108–511
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H.R. 1446	108–420
H.R. 1521	108–313
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H.R. 1572	108–288
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H.R. 1616	108–314
H.R. 1630	108–430
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H.R. 1731	108–275
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H.R. 2010	108–576
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H.R. 2264	108–200
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H.R. 2408	108–327
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H.R. 2443	108–293
H.R. 2457	108–480
H.R. 2489	108–222
H.R. 2523	108–461
H.R. 2584	108–219
H.R. 2608	108–360
H.R. 2619	108–481
H.R. 2655	108–449
H.R. 2673	108–199
H.R. 2696	108–317
H.R. 2714	108–372
H.R. 2751	108–271
H.R. 2768	108–290
H.R. 2771	108–328
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H.R. 2912	108–431
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H.R. 3118	108–223
H.R. 3124	108–462
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H.R. 3209	108–318
H.R. 3217	108–381
H.R. 3234	108–245
H.R. 3242	108–465
H.R. 3249	108–319
H.R. 3277	108–291
H.R. 3300	108–246
H.R. 3340	108–294
H.R. 3353	108–247
H.R. 3378	108–266
H.R. 3389	108–320
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H.R. 3463	108–295
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H.R. 3536	108–248
H.R. 3537	108–249
H.R. 3538	108–250
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H.R. 3690	108–251
H.R. 3706	108–385
H.R. 3724	108–213
H.R. 3733	108–252
H.R. 3734	108–466
H.R. 3740	108–253
H.R. 3768	108–321
H.R. 3769	108–254
H.R. 3785	108–483
H.R. 3797	108–386
H.R. 3818	108–484
H.R. 3819	108–387
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H.R. 3926	108–216
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H.R. 4322	108–268
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H.R. 4380	108–292
H.R. 4381	108–392
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H.R. 4818	108–447
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H.R. 4850	108–335
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H.R. 5027	108–402
H.R. 5039	108–403
H.R. 5051	108–404
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H.J. Res. 97	108–272
H.J. Res. 102	108–479
H.J. Res. 107	108–309
H.J. Res. 110	108–432
H.J. Res. 111	108–433
H.J. Res. 113	108–416
H.J. Res. 115	108–434

BILLS VETOED

Title	Bill No.	Date introduced	Committee		Date Reported		Report No.		Date of passage		Public Law	
			House	Senate	House	Senate	House 108	Senate 108	House	Senate	Date approved	No. 108
Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes.	H.R. 2673	July 9, 2003			.....	.....	193	.....	July 14, 2003	Nov. 6, 2003	Jan. 23, 2004	199
To authorize appropriations for fiscal years 2004 and 2005 to carry out the Congo Basin Forest Partnership (CBFP) program, and for other purposes.	H.R. 2264	May 22, 2003	IR	FR			.....	.....	Oct. 7, 2003	Dec. 9, 2003	Feb. 13, 2004	200
To amend the provisions of title 5, United States Code, to provide for workforce flexibilities and certain Federal personnel provisions relating to the National Aeronautics and Space Administration, and for other purposes.	S. 610	Mar. 13, 2003		GA	.....	July 28, 2003	.....	113	Jan. 28, 2004	Nov. 24, 2003	Feb. 24, 2004	201
To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.	H.R. 3850	Feb. 26, 2004	TI WM Res Sci			.....	.....	.....	Feb. 26, 2004	Feb. 27, 2004	Feb. 29, 2004	202
To amend the Social Security Act and the Internal Revenue Code of 1986 to provide additional safeguards for Social Security and Supplemental Security Income beneficiaries with representative payees, to enhance program protections, and for other purposes.	H.R. 743	Feb. 12, 2003	WM	Fin	Mar. 24, 2003	Oct. 29, 2003	46	176	April 2, 2003	Dec. 9, 2003	Mar. 2, 2004	203
To make technical corrections to laws relating to Native Americans, and for other purposes.	S. 523	Mar. 5, 2003	Res Agr	IA	Nov. 17, 2003	May 15, 2003	374	49	Feb. 11, 2004	July 30, 2003	Mar. 2, 2004	204
To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through April 2, 2004, and for other purposes.	H.R. 3915	Mar. 9, 2004	SB			.....	.....	.....	Mar. 10, 2004	Mar. 12, 2004	Mar. 15, 2004	205
To provide for the conveyance of a small parcel of Bureau of Land Management land in Douglas County, Oregon, to the county to improve management of and recreational access to the Oregon Dunes National Recreation Area, and for other purposes.	S. 714	Mar. 26, 2003	Res	ENR		Aug. 26, 2003	.....	135	Feb. 24, 2004	Nov. 24, 2003	Mar. 15, 2004	206
To extend the final report date and termination date of the National Commission on Terrorist Attacks Upon the United States, to provide additional funding for the Commission, and for other purposes.	S. 2136	Feb. 26, 2004			.....	.....	.....	0	Mar. 3, 2004	Feb. 27, 2004	Mar. 16, 2004	207
To provide for the protection of archaeological sites in the Galisteo Basin in New Mexico, and for other purposes.	H.R. 506	Jan. 29, 2003	Res		Nov. 4, 2003	.....	346	.....	Nov. 4, 2003	Mar. 4, 2004	Mar. 19, 2004	208
To designate Fort Bayard Historic District in the State of New Mexico as a National Historic Landmark, and for other purposes.	H.R. 2059	May 9, 2003	Res		Sept. 3, 2003	.....	257	.....	Sept. 23, 2003	Mar. 4, 2004	Mar. 19, 2004	209
To reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2004, and for other purposes.	S. 2231	Mar. 25, 2004	WM EC			.....	.....	.....	Mar. 30, 2004	Mar. 25, 2004	Mar. 31, 2004	210

To reauthorize certain school lunch and child nutrition programs through June 30, 2004.	S.	2241	Mar. 26, 2004							Mar. 30, 2004	Mar. 26, 2004	Mar. 31, 2004	211
To amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, and for other purposes.	H.R.	1997	May 7, 2003	Jud AS-H		Feb. 11, 2004		420		Feb. 26, 2004	Mar. 25, 2004	April 1, 2004	212
To amend section 220 of the National Housing Act to make a technical correction to restore allowable increases in the maximum mortgage limits for FHA-insured mortgages for multifamily housing projects to cover increased costs of installing a solar energy system or residential energy conservation measures.	H.R.	3724	Jan. 21, 2004	FS	BHUA					Feb. 3, 2004	Mar. 12, 2004	April 1, 2004	213
To amend the Federal Food, Drug, and Cosmetic Act to make technical corrections relating to the amendments by the Medical Device User Fee and Modernization Act of 2002, and for other purposes.	S.	1881	Nov. 18, 2003	EC	HEL&P	Mar. 9, 2004	Nov. 24, 2003	433	0	Mar. 10, 2004	Nov. 25, 2003	April 1, 2004	214
To authorize the President of the United States to agree to certain amendments to the Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank, and for other purposes.	H.R.	254	Jan. 8, 2003	FS	FR	Feb. 25, 2003		17		Feb. 26, 2003	Mar. 12, 2004	April 5, 2004	215
To amend the Public Health Service Act to promote organ donation, and for other purposes.	H.R.	3926	Mar. 10, 2004	EC						Mar. 24, 2004	Mar. 25, 2004	April 5, 2004	216
To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through June 4, 2004, and for other purposes.	H.R.	4062	Mar. 30, 2004	SB						Mar. 31, 2004	April 1, 2004	April 5, 2004	217
To amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions, and for other purposes.	H.R.	3108	Sept. 17, 2003	EWI WM	Fin					Oct. 8, 2003	Jan. 28, 2004	April 10, 2004	218
To provide for the conveyance to the Utrok Atoll local government of a decommissioned National Oceanic and Atmospheric Administration ship, and for other purposes.	H.R.	2584	June 24, 2003	Res	ENR CST	Nov. 18, 2003		378		Nov. 21, 2003	Mar. 24, 2004	April 13, 2004	219
To require the Secretary of Defense to reimburse members of the United States Armed Forces for certain transportation expenses incurred by the members in connection with leave under the Central Command Rest and Recuperation Leave Program before the program was expanded to include domestic travel.	S.	2057	Feb. 9, 2004	AS-H	AS-S					Mar. 30, 2004	Mar. 3, 2004	April 22, 2004	220
To direct the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouse in that county.	H.R.	1274	Mar. 13, 2003	TI		Nov. 4, 2003		341		Nov. 18, 2003	April 20, 2004	April 30, 2004	221
To provide for the distribution of judgment funds to the Cowlitz Indian Tribe.	H.R.	2489	June 17, 2003	Res		Nov. 17, 2003		368		Mar. 23, 2004	April 20, 2004	April 30, 2004	222

Title	Bill No.	Date introduced	Committee		Date Reported		Report No.		Date of passage		Public Law	
			House	Senate	House	Senate	House 108	Senate 108	House	Senate	Date approved	No. 108
To designate the Orville Wright Federal Building and the Wilbur Wright Federal Building in Washington, District of Columbia.	H.R. 3118	Sept. 17, 2003	TI	EPW	Oct. 15, 2003		317	.....	Nov. 4, 2003	April 20, 2004	April 30, 2004	223
To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.	H.R. 4219	April 27, 2004	TI WM Res Sci			.....	.....	.....	April 28, 2004	April 29, 2004	April 30, 2004	224
To designate the United States courthouse located at 400 North Miami Avenue in Miami, Florida, as the "Wilkie D. Ferguson, Jr. United States Courthouse".	S. 1904	Nov. 20, 2003		EPW	.....	Mar. 10, 2004	.....	0	April 28, 2004	Mar. 12, 2004	May 7, 2004	225
To designate the Federal building located at 250 West Cherry Street in Carbondale, Illinois the "Senaror Paul Simon Federal Building".	S. 2022	Jan. 22, 2004		EPW	.....	Mar. 10, 2004	.....	0	April 21, 2004	Mar. 12, 2004	May 7, 2004	226
To designate a Federal building in Harrisburg, Pennsylvania, as the "Ronald Reagan Federal Building".	S. 2043	Feb. 2, 2004	TI	EPW		Mar. 10, 2004	.....	0	April 28, 2004	Mar. 12, 2004	May 7, 2004	227
To amend the Communications Satellite Act of 1962 to extend the deadline for the INTELSAT initial public offering.	S. 2315	April 8, 2004	EC	CST			.....	.....	May 5, 2004	April 27, 2004	May 18, 2004	228
To provide for expansion of Sleeping Bear Dunes National Lakeshore.	H.R. 408	Jan. 28, 2003	Res	ENR	Oct. 2, 2003	Mar. 9, 2004	292	240	Oct. 8, 2003	May 19, 2004	May 28, 2004	229
To require the conveyance of certain National Forest System lands in Mendocino National Forest, California, to provide for the use of the proceeds from such conveyance for National Forest purposes, and for other purposes.	H.R. 708	Feb. 11, 2003	Res	ENR	Oct. 2, 2003	Mar. 9, 2004	293	242	Oct. 8, 2003	May 19, 2004	May 28, 2004	230
To authorize the Secretary of the Interior to revise a repayment contract with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, Texas, and for other purposes.	H.R. 856	Feb. 13, 2003	Res	EPW ENR		Mar. 9, 2004	.....	243	May 14, 2003	May 19, 2004	May 28, 2004	231
To amend the Small Business Investment Act of 1958 to allow certain premier certified lenders to elect to maintain an alternative loss reserve.	H.R. 923	Feb. 26, 2003	SB	SBE	June 12, 2003		153	.....	June 24, 2003	May 18, 2004	May 28, 2004	232
To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in projects within the San Diego Creek Watershed, California, and for other purposes.	H.R. 1598	April 3, 2003	Res	ENR	Oct. 8, 2003	Mar. 9, 2004	306	244	Oct. 15, 2003	May 19, 2004	May 28, 2004	233
To provide for the establishment of separate campaign medals to be awarded to members of the uniformed services who participate in Operation Enduring Freedom and to members of the uniformed services who participate in Operation Iraqi Freedom.	H.R. 3104	Sept. 16, 2003	AS-H	AS-S		May 11, 2004	.....	0	Mar. 30, 2004	May 18, 2004	May 28, 2004	234
To address the participation of Taiwan in the World Health Organization.	S. 2092	Feb. 12, 2004		FR	.....	April 29, 2004	.....	0	May 20, 2004	May 6, 2004	June 14, 2004	235
Recognizing the 60th anniversary of the Allied landing at Normandy during World War II.	S.J. Res. 28	Feb. 25, 2004	AS-H	Jud			.....	.....	June 2, 2004	April 1, 2004	June 15, 2004	236

To encourage the development and promulgation of voluntary consensus standards by providing relief under the antitrust laws to standards development organizations with respect to conduct engaged in for the purpose of developing voluntary consensus standards, and for other purposes.	H.R.	1086	Mar. 5, 2003	Jud	Jud	May 22, 2003	Nov. 6, 2003	125	0	June 10, 2003	April 2, 2004	June 22, 2004	237
To authorize assistance for the National Great Blacks in Wax Museum and Justice Learning Center.	S.	1233	June 11, 2003	Res Jud	Jud	Nov. 17, 2003	June 19, 2003	372	0	June 1, 2004	July 14, 2003	June 22, 2004	238
To designate the facility of the United States Postal Service located at 3751 West 6th Street in Los Angeles, California, as the "Dosan Ahn Chang Ho Post Office".	H.R.	1822	April 11, 2003	GR	GA		June 7, 2004	.....	0	April 20, 2004	June 9, 2004	June 25, 2004	239
To redesignate the facility of the United States Postal Service located at 121 Kinderkamack Road in River Edge, New Jersey, as the "New Bridge Landing Post Office".	H.R.	2130	May 15, 2003	GR	GA		June 7, 2004	.....	0	Nov. 18, 2003	June 9, 2004	June 25, 2004	240
To designate the facility of the United States Postal Service located at 115 West Pine Street in Hattiesburg, Mississippi, as the "Major Henry A. Commiskey, Sr. Post Office Building".	H.R.	2438	June 11, 2003	GR	GA		June 7, 2004	.....	0	Nov. 4, 2003	June 9, 2004	June 25, 2004	241
To designate the facility of the United States Postal Service located at 255 North Main Street in Jonesboro, Georgia, as the "S. Truett Cathy Post Office Building".	H.R.	3029	Sept. 5, 2003	GR	GA		June 7, 2004	.....	0	Nov. 4, 2003	June 9, 2004	June 25, 2004	242
To designate the facility of the United States Postal Service located at 304 West Michigan Street in Sturtgart, Arkansas, as the "Lloyd L. Burke Post Office".	H.R.	3059	Sept. 10, 2003	GR	GA		June 7, 2004	.....	0	Mar. 24, 2004	June 9, 2004	June 25, 2004	243
To designate the facility of the United States Postal Service located at 2055 Siesta Drive in Sarasota, Florida, as the "Brigadier General (AUS-Ret.) John H. McLain Post Office".	H.R.	3068	Sept. 10, 2003	GR	GA		June 7, 2004	.....	0	Oct. 20, 2003	June 9, 2004	June 25, 2004	244
To designate the facility of the United States Postal Service located at 14 Chestnut Street in Liberty, New York, as the "Ben R. Gerow Post Office Building".	H.R.	3234	Oct. 2, 2003	GR	GA		June 7, 2004	.....	0	Oct. 28, 2003	June 9, 2004	June 25, 2004	245
To designate the facility of the United States Postal Service located at 15500 Pearl Road in Strongsville, Ohio, as the "Walter F. Ehrnfelt, Jr. Post Office Building".	H.R.	3300	Oct. 15, 2003	GR	GA		June 7, 2004	.....	0	Nov. 18, 2003	June 9, 2004	June 25, 2004	246
To designate the facility of the United States Postal Service located at 525 Main Street in Tarboro, North Carolina, as the "George Henry White Post Office Building".	H.R.	3353	Oct. 21, 2003	GR	GA		June 7, 2004	.....	0	Nov. 17, 2003	June 9, 2004	June 25, 2004	247
To designate the facility of the United States Postal Service located at 210 Main Street in Malden, Illinois, as the "Army Staff Sgt. Lincoln Hollinsaid Malden Post Office".	H.R.	3536	Nov. 19, 2003	GR	GA		June 7, 2004	.....	0	Mar. 9, 2004	June 9, 2004	June 25, 2004	248
To designate the facility of the United States Postal Service located at 185 State Street in Manhattan, Illinois, as the "Army Pvt. Shawn Pahnke Manhattan Post Office".	H.R.	3537	Nov. 19, 2003	GR	GA		June 7, 2004	.....	0	Mar. 9, 2004	June 9, 2004	June 25, 2004	249
To designate the facility of the United States Postal Service located at 201 South Chicago Avenue in Saint Anne, Illinois, as the "Marine Capt. Ryan Beaupre Saint Anne Post Office".	H.R.	3538	Nov. 19, 2003	GR	GA		June 7, 2004	.....	0	Mar. 9, 2004	June 9, 2004	June 25, 2004	250

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			House	Senate	House	Senate	House 108	Senate 108	House	Senate	Date approved	No. 108
To designate the facility of the United States Postal Service located at 2 West Main Street in Batavia, New York, as the "Barber Conable Post Office Building".	H.R. 3690	Dec. 8, 2003	GR	GA		June 7, 2004	.....	0	Feb. 25, 2004	June 9, 2004	June 25, 2004	251
To designate the facility of the United States Postal Service located at 410 Huston Street in Altamont, Kansas, as the "Myron V. George Post Office".	H.R. 3733	Jan. 27, 2004	GR	GA		June 7, 2004	.....	0	Mar. 16, 2004	June 9, 2004	June 25, 2004	252
To designate the facility of the United States Postal Service located at 223 South Main Street in Roxboro, North Carolina, as the "Oscar Scott Woody Post Office Building".	H.R. 3740	Jan. 28, 2004	GR	GA		June 7, 2004	.....	0	May 18, 2004	June 9, 2004	June 25, 2004	253
To designate the facility of the United States Postal Service located at 137 East Young High Pike in Knoxville, Tennessee, as the "Ben Atchley Post Office Building".	H.R. 3769	Feb. 4, 2004	GR	GA		June 7, 2004	.....	0	Mar. 2, 2004	June 9, 2004	June 25, 2004	254
To designate the facility of the United States Postal Service located at 607 Pershing Drive in Laclede, Missouri, as the "General John J. Pershing Post Office".	H.R. 3855	Feb. 26, 2004	GR	GA		June 7, 2004	.....	0	April 20, 2004	June 9, 2004	June 25, 2004	255
To designate the facility of the United States Postal Service located at 695 Marconi Boulevard in Copiague, New York, as the "Maxine S. Postal United States Post Office".	H.R. 3917	Mar. 9, 2004	GR	GA		June 7, 2004	.....	0	Mar. 29, 2004	June 9, 2004	June 25, 2004	256
To redesignate the facility of the United States Postal Service located at 14-24 Abbott Road in Fair Lawn, New Jersey, as the "Mary Ann Collura Post Office Building".	H.R. 3939	Mar. 11, 2004	GR	GA		June 7, 2004	.....	0	May 11, 2004	June 9, 2004	June 25, 2004	257
To redesignate the facility of the United States Postal Service located at 7 Commercial Boulevard in Middletown, Rhode Island, as the "Rhode Island Veterans Post Office Building".	H.R. 3942	Mar. 11, 2004	GR	GA		June 7, 2004	.....	0	April 27, 2004	June 9, 2004	June 25, 2004	258
To designate the facility of the United States Postal Service located at 475 Kell Farm Drive in Cape Girardeau, Missouri, as the "Richard G. Wilson Processing and Distribution Facility".	H.R. 4037	Mar. 25, 2004	GR	GA		June 7, 2004	.....	0	April 20, 2004	June 9, 2004	June 25, 2004	259
To designate the facility of the United States Postal Service located at 122 West Elwood Avenue in Raeford, North Carolina, as the "Bobby Marshall Gentry Post Office Building".	H.R. 4176	April 20, 2004	GR	GA		June 7, 2004	.....	0	May 18, 2004	June 9, 2004	June 25, 2004	260
To designate the facility of the United States Postal Service located at 410 South Jackson Road in Edinburg, Texas, as the "Dr. Miguel A. Nevarez Post Office Building".	H.R. 4299	May 6, 2004	GR	GA		June 7, 2004	.....	0	May 11, 2004	June 9, 2004	June 25, 2004	261
To reauthorize the Temporary Assistance for Needy Families block grant program through September 30, 2004, and for other purposes.	H.R. 4589	June 16, 2004	WM			.....	.....	.....	June 22, 2004	June 22, 2004	June 30, 2004	262
To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.	H.R. 4635	June 22, 2004	TI WM Res Sci			.....	.....	.....	June 23, 2004	June 23, 2004	June 30, 2004	263

To amend the National Flood Insurance Act of 1968 to reduce loses to properties for which repetitive flood insurance claim payments have been made.	S.	2238	Mar. 25, 2004		BHUA	.....	May 13, 2004	.....	262	June 21, 2004	June 15, 2004	June 30, 2004	264
To amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to provide children with increased access to food and nutrition assistance, to simplify program operations and improve program management, to reauthorize child nutrition programs, and for other purposes.	S.	2507	June 7, 2004			.....	.....	.....	279	June 24, 2004	June 23, 2004	June 30, 2004	265
To assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries.	H.R.	3378	Oct. 28, 2003	Res		May 20, 2004	.....	507	.....	June 14, 2004	June 18, 2004	July 2, 2004	266
To amend the Indian Self-Determination and Education Assistance Act to redesignate the American Indian Education Foundation as the National Fund for Excellence in American Indian Education.	H.R.	3504	Nov. 17, 2003	EWI Res		May 20, 2004	.....	510	.....	June 14, 2004	June 18, 2004	July 2, 2004	267
To provide for the transfer of the Nebraska Avenue Naval Complex in the District of Columbia to facilitate the establishment of the headquarters for the Department of Homeland Security, to provide for the acquisition by the Department of the Navy of suitable replacement facilities, and for other purposes.	H.R.	4322	May 11, 2004	AS-H			.....	.....	.....	June 14, 2004	June 21, 2004	July 2, 2004	268
To amend the Bend Pine Nursery Land Conveyance Act to direct the Secretary of Agriculture to sell the, Bend Pine Nursery Administration Site in the State of Oregon.	S.	1848	Nov. 11, 2003		ENR	.....	Mar. 9, 2004	.....	238	June 21, 2004	May 19, 2004	July 2, 2004	269
To provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326-A-1, 326-A-3, and 326-K, and for other purposes.	H.R.	884	Feb. 25, 2003	Res		Oct. 7, 2003	.....	299	.....	June 21, 2004	June 24, 2004	July 7, 2004	270
To provide new human capital flexibilities with respect to the GAO, and for other purposes.	H.R.	2751	July 16, 2003	GR	GA	Nov. 19, 2003		380	.....	Feb. 25, 2004	June 24, 2004	July 7, 2004	271
Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.	H.J. Res. 97 (S.J. Res. 39)		June 3, 2004	WM	Fin		June 15, 2004	.....	0	June 14, 2004	June 24, 2004	July 7, 2004	272
To designate the United States courthouse and post office building located at 93 Atocha Street in Ponce, Puerto Rico, as the "Luis A. Ferre United States Courthouse and Post Office Building".	S.	2017	Jan. 22, 2004		GA	.....	June 7, 2004	.....	0	June 22, 2004	June 9, 2004	July 7, 2004	273
To extend and modify the trade benefits under the African Growth and Opportunity Act.	H.R.	4103	April 1, 2004	WM		May 19, 2004	.....	501	.....	June 14, 2004	June 24, 2004	July 13, 2004	274
To amend title 18, United States Code, to establish penalties for aggravated identity theft, and for other purposes.	H.R.	1731	April 10, 2003	Jud		June 8, 2004	.....	528	.....	June 23, 2004	June 25, 2004	July 15, 2004	275

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			House	Senate	House	Senate	House 108	Senate 108	House	Senate	Date approved	No. 108
To amend the Public Health Service Act to provide for the payment of compensation for certain individuals with injuries resulting from the administration of smallpox countermeasures, to provide protections and countermeasures against chemical, radiological, or nuclear agents that may be used in a terrorist attack against the United States, and to improve immunization rates by increasing the distribution of vaccines and improving and clarifying the vaccine injury compensation program.	S. 15	Mar. 11, 2003		HEL&P	.....	Mar. 25, 2003	.....	0	July 14, 2004	May 19, 2004	July 21, 2004	276
To amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns.	H.R. 218	Jan. 7, 2003	Jud		June 22, 2004	.....	560	.....	June 23, 2004	July 7, 2004	July 22, 2004	277
To authorize the Secretary of Agriculture and the Secretary of the Interior to enter into an agreement or contract with Indian tribes meeting certain criteria to carry out projects to protect Indian forest land.	H.R. 3846	Feb. 26, 2004	Res Agr		May 20, 2004	.....	509	.....	June 21, 2004	June 25, 2004	July 22, 2004	278
To resolve the boundary conflicts in Barry and Stone Counties in the State of Missouri.	S. 1167	June 2, 2003		ENR	.....	Mar. 9, 2004	.....	234	July 12, 2004	May 19, 2004	July 22, 2004	279
To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.	H.R. 4916	July 22, 2004	TI WM Sci Res			.....	.....	.....	July 22, 2004	July 22, 2004	July 30, 2004	280
To amend the E-Government Act of 2002 with respect to rulemaking authority of the Judicial Conference.	H.R. 1303	Mar. 18, 2003	Jud	GA GA	July 25, 2003	July 7, 2004 July 7, 2004	239	0	Oct. 7, 2003	July 9, 2004	Aug. 2, 2004	281
To amend the Federal Food, Drug, and Cosmetic Act with regard to new animal drugs, and for other purposes.	S. 741	Mar. 27, 2003	EC	HEL&P	July 15, 2004	Feb. 18, 2004	608	226	July 20, 2004	Mar. 8, 2004	Aug. 2, 2004	282
To require a report on the conflict in Uganda, and for other purposes.	S. 2264	Mar. 31, 2004	IR	FR		April 29, 2004	.....	0	July 19, 2004	May 7, 2004	Aug. 2, 2004	283
Providing for the appointment of Eli Broad as a citizen regent of the Board of Regents of the Smithsonian Institution.	S.J. Res. 38	June 3, 2004	HA	RAdm			.....	.....	July 20, 2004	June 9, 2004	Aug. 2, 2004	284
To facilitate self-help housing homeownership opportunities.	H.R. 4363	May 13, 2004	FS	BHUA	June 16, 2004		546	.....	June 21, 2004	July 14, 2004	Aug. 2, 2004	285
To implement the United States-Australia Free Trade Agreement.	H.R. 4759	July 6, 2004	WM		July 12, 2004	.....	597	.....	July 14, 2004	July 15, 2004	Aug. 3, 2004	286
Making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes.	H.R. 4613	June 18, 2004			.....	.....	553	.....	June 22, 2004	June 24, 2004	Aug. 5, 2004	287
To designate the historic Federal District Court Building located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow Federal Courthouse".	H.R. 1572	April 2, 2003	TI	EPW	July 17, 2003	June 24, 2004	216	0	Sept. 5, 2003	July 19, 2004	Aug. 6, 2004	288
To provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement.	H.R. 1914	May 1, 2003	FS WM		April 27, 2004 July 6, 2004	.....	472	.....	July 14, 2004	July 20, 2004	Aug. 6, 2004	289

To require the Secretary of the Treasury to mint coins in commemoration of Chief Justice John Marshall.	H.R.	2768	July 17, 2003	FS WM		April 27, 2004 July 6, 2004	.....	475	.....	July 14, 2004	July 20, 2004	Aug. 6, 2004	290
To require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center.	H.R.	3277	Oct. 8, 2003	FS WM		April 27, 2004 July 6, 2004	.....	474	.....	July 14, 2004	July 20, 2004	Aug. 6, 2004	291
To designate the facility of the United States Postal Service located at 4737 Mile Stretch Drive in Holiday, Florida, as the "Sergeant First Class Paul Ray Smith Post Office Building".	H.R.	4380	May 18, 2004	GR	GA			.....	.....	July 12, 2004	July 19, 2004	Aug. 6, 2004	292
To authorize appropriations for the Coast Guard for fiscal year 2004, to amend various laws administered by the Coast Guard, and for other purposes.	H.R.	2443	June 12, 2003	TI	CST	July 24, 2003		233	.....	Nov. 5, 2003	Mar. 30, 2004	Aug. 9, 2004	293
To redesignate the facilities of the United States Postal Service located at 7715 and 7748 S. Cottage Grove Avenue in Chicago, Illinois, as the "James E. Worsham Post Office" and the "James E. Worsham Carrier Annex Building", respectively, and for other purposes.	H.R.	3340	Oct. 20, 2003	GR	GA		July 22, 2004	.....	0	July 6, 2004	July 22, 2004	Aug. 9, 2004	294
To amend titles III and IV of the Social Security Act to improve the administration of unemployment taxes and benefits.	H.R.	3463	Nov. 6, 2003	WM			.....	.....	.....	July 14, 2004	July 22, 2004	Aug. 9, 2004	295
To designate the facility of the United States Postal Service located at 550 Nebraska Avenue in Kansas City, Kansas, as the "Newell George Post Office Building".	H.R.	4222	April 27, 2004	GR	GA		July 22, 2004	.....	0	June 21, 2004	July 22, 2004	Aug. 9, 2004	296
To amend title 49, United States Code, to make certain conforming changes to provisions governing the registration of aircraft and the recordation of instruments in order to implement the Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment, known as the "Cape Town Treaty".	H.R.	4226	April 28, 2004	TI	CST	June 8, 2004		526	.....	June 22, 2004	July 21, 2004	Aug. 9, 2004	297
To designate the facility of the United States Postal Service located at 7450 Natural Bridge Road in St. Louis, Missouri, as the "Vitilas 'Veto' Reid Post Office Building".	H.R.	4327	May 11, 2004	GR	GA		July 22, 2004	.....	0	July 6, 2004	July 22, 2004	Aug. 9, 2004	298
To modify certain deadlines pertaining to machine-readable, tamper-resistant entry and exit documents.	H.R.	4417	May 20, 2004	Jud	Jud			.....	.....	June 14, 2004	July 22, 2004	Aug. 9, 2004	299
To designate the facility of the United States Postal Service located at 73 South Euclid Avenue in Montauk, New York, as the "Perry B. Duryea, Jr. Post Office".	H.R.	4427	May 20, 2004	GR	GA		July 22, 2004	.....	0	July 6, 2004	July 22, 2004	Aug. 9, 2004	300
To preserve the ability of the Federal Housing Administration to insure mortgages under sections 238 and 519 of the National Housing Act.	S.	2712	July 21, 2004		BHUA	.....		.....	.....	July 22, 2004	July 22, 2004	Aug. 9, 2004	301
To implement the United States-Morocco Free Trade Agreement.	H.R. (S. 2677)	4842	July 15, 2004	WM		July 21, 2004	July 20, 2004	627	0	July 22, 2004	July 22, 2004	Aug. 17, 2004	302
Making emergency supplemental appropriations for the fiscal year ending September 30, 2004, for additional disaster assistance.	H.R.	5005	Sept. 7, 2004	App Bud			.....	.....	.....	Sept. 7, 2004	Sept. 7, 2004	Sept. 8, 2004	303

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			House	Senate	House	Senate	House 108	Senate 108	House	Senate	Date approved	No. 108
To designate certain conduct by sports agents relating to the signing of contracts with student athletes as unfair and deceptive acts or practices to be regulated by the Federal Trade Commission.	H.R. 361	Jan. 27, 2003	EC Jud	CST	Mar. 5, 2003 June 2, 2003		24	.....	June 4, 2003	Sept. 9, 2004	Sept. 24, 2004	304
To provide for the conveyance of the real property located at 1081 West Main Street in Ravenna, Ohio.	H.R. 3908	Mar. 4, 2004	EWf	HEL&P	.....	.....	.....	.....	June 2, 2004	Sept. 10, 2004	Sept. 24, 2004	305
To provide an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through September 30, 2004, and for other purposes.	H.R. 5008	Sept. 7, 2004	SB		.....	.....	.....	.....	Sept. 13, 2004	Sept. 14, 2004	Sept. 24, 2004	306
To revise the boundary of Harpers Ferry National Historical Park, and for other purposes.	S. 1576	Sept. 3, 2003	Res	ENR	Sept. 7, 2004	Mar. 9, 2004	655	236	Sept. 13, 2004	May 19, 2004	Sept. 24, 2004	307
To reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2005, and for other purposes.	H.R. 5149	Sept. 24, 2004	WM EC			.....	.....	.....	Sept. 30, 2004	Sept. 30, 2004	Sept. 30, 2004	308
Making continuing appropriations for the fiscal year 2005, and for other purposes.	H.J. Res. 107	Sept. 28, 2004	App Bud			.....	.....	.....	Sept. 29, 2004	Sept. 29, 2004	Sept. 30, 2004	309
To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.	H.R. 5183	Sept. 29, 2004	TI Bud WM Res Sci			.....	.....	.....	Sept. 30, 2004	Sept. 30, 2004	Sept. 30, 2004	310
To amend the Internal Revenue Code of 1986 to end certain abusive tax practices, to provide tax relief and simplification, and for other purposes.	H.R. 1308	Mar. 18, 2003	WM			.....	.....	.....	Mar. 19, 2003	June 5, 2003	Oct. 4, 2004	311
To provide for an adjustment of the boundaries of Mount Rainier National Park, and for other purposes.	H.R. 265	Jan. 8, 2003	Res	ENR	May 17, 2004	Aug. 25, 2004	495	330	June 1, 2004	Sept. 15, 2004	Oct. 5, 2004	312
To provide for additional lands to be included within the boundary of the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes.	H.R. 1521	Mar. 31, 2003	Res	ENR	Oct. 7, 2003	May 20, 2004	301	276	Oct. 15, 2003	Sept. 15, 2004	Oct. 5, 2004	313
To authorize the exchange of certain lands within the Martin Luther King, Junior, National Historic Site for lands owned by the City of Atlanta, Georgia, and for other purposes.	H.R. 1616	April 3, 2003	Res	ENR	Sept. 3, 2003	Aug. 25, 2004	255	332	Oct. 28, 2003	Sept. 15, 2004	Oct. 5, 2004	314
To authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District.	H.R. 1648	April 7, 2003	Res	ENR	Nov. 17, 2003	June 25, 2004	363	287	Nov. 17, 2003	Sept. 15, 2004	Oct. 5, 2004	315
To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project, and for other purposes.	H.R. 1732	April 10, 2003	Res	ENR	Nov. 17, 2003	June 25, 2004	364	288	Nov. 17, 2003	Sept. 15, 2004	Oct. 5, 2004	316

To establish Institutes to demonstrate and promote the use of adaptive ecosystem management to reduce the risk of wildfires, and restore the health of fire-adapted forest and woodland ecosystems of the interior West.	H.R.	2696	July 10, 2003	Res Agr	ENR	Nov. 21, 2003	Mar. 29, 2004	397	252	Feb. 24, 2004	Sept. 15, 2004	Oct. 5, 2004	317
To amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project.	H.R.	3209	Sept. 30, 2003	Res	ENR	Nov. 7, 2003	June 25, 2004	356	289	Nov. 17, 2003	Sept. 15, 2004	Oct. 5, 2004	318
To extend the term of the Forest Counties Payments Committee.	H.R.	3249	Oct. 3, 2003	Res Agr	ENR		May 20, 2004	.....	0	Oct. 28, 2003	Sept. 15, 2004	Oct. 5, 2004	319
To amend the Stevenson-Wydler Technology Innovation Act of 1980 to permit Malcolm Baldrige National Quality Awards to be made to nonprofit organizations.	H.R.	3389	Oct. 29, 2003	Sci	CST	Feb. 11, 2004		419	.....	Mar. 3, 2004	Sept. 23, 2004	Oct. 5, 2004	320
To expand the Timucuan Ecological and Historic Preserve, Florida.	H.R.	3768	Feb. 4, 2004	Res	ENR	May 17, 2004	Aug. 25, 2004	493	333	May 17, 2004	Sept. 15, 2004	Oct. 5, 2004	321
Commemorating the opening of the National Museum of the American Indian.	S.J. Res.	41	July 7, 2004	HA	IA		July 16, 2004	.....	0	Sept. 21, 2004	July 22, 2004	Oct. 5, 2004	322
To reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2007, and for other purposes.	H.R.	4654	June 23, 2004	IR	FR	July 14, 2004		603	.....	Sept. 7, 2004	Sept. 28, 2004	Oct. 6, 2004	323
Making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes.	H.R. (S. 2674)	4837	July 15, 2004		.....	.....	.....	607	309	July 22, 2004	Sept. 20, 2004	Oct. 13, 2004	324
To authorize a land conveyance between the United State and the City of Craig, Alaska, and for other purposes.	S.	1778	Oct. 23, 2003		ENR	.....	May 20, 2004	.....	271	Sept. 28, 2004	Sept. 15, 2004	Oct. 13, 2004	325
To clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa.	H.R.	982	Feb. 27, 2003	Res Jud	Fin	Oct. 7, 2003 May 15, 2003	July 20, 2004	102	0	Nov. 4, 2003	Sept. 29, 2004	Oct. 16, 2004	326
To amend the Fish and Wildlife Act of 1956 to reauthorize volunteer programs and community partnerships for national wildlife refuges, and for other purposes.	H.R.	2408	June 10, 2003	Res	EPW	Nov. 20, 2003	Aug. 25, 2004	385	315	Mar. 23, 2004	Sept. 30, 2004	Oct. 16, 2004	327
To amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program.	H.R.	2771	July 17, 2003	EC		April 28, 2004	.....	476	.....	May 5, 2004	Sept. 30, 2004	Oct. 16, 2004	328
To amend the Act of November 2, 1966 (80 Stat. 1112), to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation.	H.R.	4115	April 1, 2004	Res		June 9, 2004	.....	535	.....	July 19, 2004	Sept. 29, 2004	Oct. 16, 2004	329
To amend title 31, United States Code, to improve the financial accountability requirements applicable to the Department of Homeland Security, to establish requirements for the Future Years Homeland Security Program of the Department, and for other purposes.	H.R.	4259	May 4, 2004	GR HS	GA	June 9, 2004		533	.....	July 20, 2004	Sept. 29, 2004	Oct. 16, 2004	330
To authorize the Board of Regents of the Smithsonian Institution to carry out construction and related activities in support of the collaborative Very Energetic Radiation Imaging Telescope Array System (VERITAS) project on Kitt Peak near Tucson, Arizona.	H.R.	5105	Sept. 17, 2004	TI			.....	.....	.....	Sept. 29, 2004	Oct. 1, 2004	Oct. 16, 2004	331
To require a report on acts of anti-Semitism around the world.	S.	2292	April 7, 2004	IR	FR		April 29, 2004	.....	0	Oct. 8, 2004	May 7, 2004	Oct. 16, 2004	332

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			House	Senate	House	Senate	House 108	Senate 108	House	Senate	Date approved	No. 108
To promote human rights and freedom in the Democratic People's Republic of Korea, and for other purposes.	H.R. 4011	Mar. 23, 2004	IR Jud	FR	May 4, 2004		478	.....	July 21, 2004	Sept. 28, 2004	Oct. 18, 2004	333
Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes.	H.R. 4567 (S. 2537)	June 15, 2004			.....	.....	541	280	June 18, 2004	Sept. 14, 2004	Oct. 18, 2004	334
Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, and for other purposes.	H.R. 4850 (S. 2826)	July 19, 2004		App	.....	Sept. 21, 2004	610	354	July 20, 2004	Sept. 22, 2004	Oct. 18, 2004	335
To provide for the implementation of air quality programs developed in accordance with an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado concerning Air Quality Control on the Southern Ute Indian Reservation, and for other purposes.	S. 551	Mar. 6, 2003	EC Res	EPW	Oct. 4, 2004 Sept. 30, 2004	Nov. 19, 2003	712	201	Oct. 4, 2004	Nov. 21, 2003	Oct. 18, 2004	336
To authorize the subdivision and dedication of restricted land owned by Alaska Natives.	S. 1421	July 16, 2003	Res	ENR		Mar. 29, 2004	.....	251	Oct. 4, 2004	Sept. 15, 2004	Oct. 18, 2004	337
To direct the Secretary of Agriculture to convey to the New Hope Cemetery Association certain land in the State of Arkansas for use as a cemetery.	S. 1537	July 31, 2003	Res	ANF	Sept. 7, 2004		654	.....	Sept. 28, 2004	Nov. 24, 2003	Oct. 18, 2004	338
To replace certain Coastal Barrier Resources System maps.	S. 1663	Sept. 25, 2003	Res	EPW		Oct. 30, 2003	.....	179	June 14, 2004	Nov. 6, 2003	Oct. 18, 2004	339
To direct the Secretary of the Interior to conduct a study on the preservation and interpretation of the historic sites of the Manhattan Project for potential inclusion in the National Park System.	S. 1687	Sept. 30, 2003		ENR	.....	May 20, 2004	.....	270	Sept. 28, 2004	Sept. 15, 2004	Oct. 18, 2004	340
To transfer federal lands between the Secretary of Agriculture and the Secretary of the Interior.	S. 1814	Nov. 3, 2003	Res Agr EWI	EPW	Oct. 4, 2004		716	.....	Oct. 4, 2004	April 20, 2004	Oct. 18, 2004	341
To amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail.	S. 2052	Feb. 5, 2004	Res	ENR		Aug. 25, 2004	.....	321	Sept. 28, 2004	Sept. 15, 2004	Oct. 18, 2004	342
To authorize and facilitate hydroelectric power licensing of the Tapoco Project.	S. 2319	April 19, 2004		ENR	.....	July 7, 2004	.....	299	Oct. 4, 2004	Sept. 15, 2004	Oct. 18, 2004	343
To revise and extend the Boys and Girls Clubs of America.	S. 2363	April 29, 2004	Jud	Jud	July 13, 2004	June 3, 2004	601	0	Sept. 28, 2004	June 3, 2004	Oct. 18, 2004	344
To redesignate the Ridges Basin Reservoir, Colorado, as Lake Nighthorse.	S. 2508	June 7, 2004	Res	ENR		Aug. 25, 2004	.....	327	Sept. 28, 2004	Sept. 15, 2004	Oct. 18, 2004	345
To direct the Secretary of Agriculture to exchange certain lands in the Arapaho and Roosevelt National Forests in the State of Colorado.	S. 2180	Mar. 9, 2004		ENR	.....	June 25, 2004	.....	285	Sept. 28, 2004	Sept. 15, 2004	Oct. 18, 2004	346
To provide for the promotion of democracy, human rights, and rule of law in the Republic of Belarus and for the consolidation and strengthening of Belarus sovereignty and independence.	H.R. 854	Feb. 13, 2003	IR Jud FS		.....	.....	.....	.....	Oct. 4, 2004	Oct. 6, 2004	Oct. 20, 2004	347
To authorize the Gateway Arch in St. Louis, Missouri, to be illuminated by pink lights in honor of breast cancer awareness month.	S. 2895	Oct. 5, 2004			.....	.....	.....	.....	Oct. 8, 2004	Oct. 5, 2004	Oct. 20, 2004	348

To amend the Congressional Accountability Act of 1995 to permit members of the Board of Directors of the Office of Compliance to serve for 2 terms.	H.R.	5122	Sept. 22, 2004	HA			.....	.....	.....	Sept. 28, 2004	Oct. 4, 2004	Oct. 21, 2004	349
To authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Ozark-St. Francis and Ouachita National Forests and to use funds derived from the sale or exchange to acquire, construct, or improve administrative sites.	S.	33	Jan. 7, 2003	Res Agr	ANF			.....	.....	Oct. 5, 2004	Nov. 24, 2003	Oct. 21, 2004	350
To amend the Lease Lot Conveyance Act of 2002 to provide that the amounts received by the United States under that Act shall be deposited in the reclamation fund, and for other purposes.	S.	1791	Oct. 28, 2003	Res	ENR		May 20, 2004	.....	272	Oct. 7, 2004	Sept. 15, 2004	Oct. 21, 2004	351
To make technical corrections to laws relating to certain units of the National Park System and to National Park programs.	S.	2178	Mar. 9, 2004	Res			.....	.....	239	Oct. 7, 2004	May 19, 2004	Oct. 21, 2004	352
To designate the facility of the United States Postal Service located at 4141 Postmark Drive, Anchorage, Alaska, as the "Robert J. Opinsky Post Office Building".	S.	2415	May 13, 2004	GR	GA		June 7, 2004	.....	0	Oct. 6, 2004	June 9, 2004	Oct. 21, 2004	353
To direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico, and for other purposes.	S.	2511	June 8, 2004	Res	ENR		Aug. 25, 2004	.....	328	Oct. 7, 2004	Sept. 15, 2004	Oct. 21, 2004	354
To amend the Public Health Service Act to support the planning, implementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, to authorize grants to institutions of higher education to reduce student mental health and behavioral health problems, and for other purposes.	S.	2634	July 8, 2004	EC			.....	.....	.....	Sept. 9, 2004	July 8, 2004	Oct. 21, 2004	355
To extend certain authority of the Supreme Court Police, modify the venue of prosecutions relating to the Supreme Court building and grounds, and authorize the acceptance of gifts to the United States Supreme Court.	S.	2742	July 22, 2004	Jud	Jud		Sept. 21, 2004	.....	0	Oct. 6, 2004	Sept. 28, 2004	Oct. 21, 2004	356
To amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad.	H.R.	4520	June 4, 2004	WM Agr		June 16, 2004	.....	548	.....	June 17, 2004	July 15, 2004	Oct. 22, 2004	357
To amend the Controlled Substances Act to clarify the definition of anabolic steroids and to provide for research and education activities relating to steroids and steroid precursors.	S.	2195	Mar. 11, 2004		Jud	.....	Sept. 30, 2004	.....	0	Oct. 8, 2004	Oct. 6, 2004	Oct. 22, 2004	358
To amend the securities laws to permit church pension plans to be invested in collective trusts.	H.R.	1533	April 1, 2003	FS	BHUA	Sept. 3, 2003		248	.....	Sept. 3, 2003	Oct. 1, 2004	Oct. 25, 2004	359
To reauthorize the National Earthquake Hazards Reduction Program, and for other purposes.	H.R.	2608	June 26, 2003	Sci Res	CST	Aug. 14, 2003	Oct. 5, 2004	246	385	Oct. 1, 2003	Oct. 6, 2004	Oct. 25, 2004	360
.....	H.R.	2828	July 23, 2003	Res TI		June 25, 2004	.....	573	.....	July 9, 2004	Sept. 15, 2004	Oct. 25, 2004	361

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			House	Senate	House	Senate	House 108	Senate 108	House	Senate	Date approved	No. 108
To amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation.	H.R. 3858	Feb. 26, 2004	EC		Oct. 5, 2004	.....	726	.....	Oct. 5, 2004	Oct. 8, 2004	Oct. 25, 2004	362
To increase, effective as of December 1, 2004, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.	H.R. 4175 (S. 2483)	April 20, 2004	VA	VA	June 3, 2004	Sept. 20, 2004	524	351	July 22, 2004	Oct. 5, 2004	Oct. 25, 2004	363
To amend the Assistive Technology Act of 1998 to support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes.	H.R. 4278	May 5, 2004	EWf	HEL&P	June 1, 2004		514	.....	June 14, 2004	Sept. 30, 2004	Oct. 25, 2004	364
To amend the Public Health Service Act to revise and extend provisions relating to mammography quality standards.	H.R. 4555	June 14, 2004	EC		Sept. 22, 2004	.....	694	.....	Oct. 5, 2004	Oct. 9, 2004	Oct. 25, 2004	365
To temporarily extend the programs under the Higher Education Act of 1965.	H.R. 5185	Sept. 30, 2004	EWf			.....	.....	.....	Oct. 6, 2004	Oct. 9, 2004	Oct. 25, 2004	366
To expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862, and for other purposes.	S. 524	Mar. 5, 2003	Res	ENR		Mar. 9, 2004	.....	230	Oct. 8, 2004	May 19, 2004	Oct. 25, 2004	367
To authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement.	S. 1368	June 27, 2003	FS	BHUA			.....	.....	Oct. 8, 2004	Sept. 9, 2004	Oct. 25, 2004	368
To extend for eighteen months the period for which chapter 12 of title 11, United States Code, is reenacted.	S. 2864	Sept. 29, 2004	Jud	Jud			.....	.....	Oct. 8, 2004	Oct. 6, 2004	Oct. 25, 2004	369
To amend the International Child Abduction Remedies Act to limit the tort liability of private entities or organizations that carry out responsibilities of United States Central Authority under that Act.	S. 2883	Oct. 1, 2004			.....	.....	.....	.....	Oct. 8, 2004	Oct. 1, 2004	Oct. 25, 2004	370
To modify and extend certain privatization requirements of the Communications Satellite Act of 1962.	S. 2896	Oct. 5, 2004			.....	.....	.....	.....	Oct. 8, 2004	Oct. 5, 2004	Oct. 25, 2004	371
To reauthorize the State Justice Institute	H.R. 2714	July 14, 2003	Jud	Jud	Sept. 25, 2003		285	.....	Mar. 10, 2004	Sept. 30, 2004	Oct. 25, 2004	372
To reauthorize and improve the programs authorized by the Public Works and Economic Development Act of 1965.	S. 1134	May 22, 2003		EPW	.....	Oct. 1, 2004	.....	382	Oct. 7, 2004	Oct. 6, 2004	Oct. 27, 2004	373
To amend the Indian Land Consolidation Act to improve provisions relating to probate of trust and restricted land, and for other purposes.	S. 1721	Oct. 14, 2003	Res	IA	Sept. 7, 2004	May 13, 2004	656	264	Oct. 7, 2004	June 2, 2004	Oct. 27, 2004	374

To authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.	H.R.	4200	April 22, 2004	AS-H		May 14, 2004		491		May 20, 2004	June 23, 2004	Oct. 28, 2004	375
To protect the voting rights of members of the Armed Services in elections for the Delegate representing American Samoa in the United States House of Representatives, and for other purposes.	H.R.	2010	May 7, 2003	Res	ENR	June 1, 2004	Sept. 28, 2004	515	377	June 14, 2004	Oct. 10, 2004	Oct. 30, 2004	376
To give a preference regarding States that require schools to allow students to self-administer medication to treat that student's asthma or anaphylaxis, and for other purposes.	H.R.	2023	May 7, 2003	EC EWf		July 14, 2004		606		Oct. 5, 2004	Oct. 11, 2004	Oct. 30, 2004	377
To amend the Organic Act of Guam for the purposes of clarifying the local judicial structure of Guam.	H.R.	2400	June 10, 2003	Res	ENR	Sept. 7, 2004		638		Sept. 13, 2004	Oct. 10, 2004	Oct. 30, 2004	378
To amend the Agricultural Adjustment Act to remove the requirement that processors be members of an agency administering a marketing order applicable to pears.	H.R.	2984	July 25, 2003	Agr						Oct. 5, 2004	Oct. 11, 2004	Oct. 30, 2004	379
To clarify the boundaries of the John H. Chafee Coast Barrier Resources System Cedar Keys Unit P25 on Otherwise Protected Area P25P.	H.R.	3056	Sept. 10, 2003	Res	EPW	Sept. 7, 2004		641		Sept. 13, 2004	Oct. 11, 2004	Oct. 30, 2004	380
To provide for the conveyance of several small parcels of National Forest System land in the Apalachicola National Forest, Florida, to resolve boundary discrepancies involving the Mt. Trial Primitive Baptist Church of Wakulla County, Florida, and for other purposes.	H.R.	3217	Oct. 1, 2003	Agr	ANF					Nov. 17, 2003	Oct. 11, 2004	Oct. 30, 2004	381
To authorize the Secretary of the Interior to convey certain lands and facilities of the Provo River Project.	H.R.	3391	Oct. 29, 2003	Res		Oct. 4, 2004		719		Oct. 4, 2004	Oct. 10, 2004	Oct. 30, 2004	382
To amend title 44, United States Code, to improve the efficiency of operations by the National Archives and Records Administration and to reauthorize the National Historical Publications and Records Commission.	H.R.	3478	Nov. 7, 2003	GR	GA	Dec. 8, 2003		403		Sept. 13, 2004	Oct. 11, 2004	Oct. 30, 2004	383
To provide for the control and eradication of the brown tree snake on the island of Guam and the prevention of the introduction of the brown tree snake to other areas of the United States, and for other purposes.	H.R.	3479	Nov. 7, 2003	Res Agr		Sept. 15, 2004		687		Sept. 28, 2004	Oct. 10, 2004	Oct. 30, 2004	384
To adjust the boundary of the John Muir National Historic Site, and for other purposes.	H.R.	3706	Jan. 20, 2004	Res	ENR	June 18, 2004	Sept. 28, 2004	555	378	June 21, 2004	Oct. 10, 2004	Oct. 30, 2004	385
To authorize improvements in the operations of the government of the District of Columbia, and for other purposes.	H.R.	3797	Feb. 11, 2004	GR EWf FS	GA	June 17, 2004		551		June 21, 2004	Oct. 11, 2004	Oct. 30, 2004	386
To redesignate Fort Clatsop National Memorial as the Lewis and Clark National Historical Park, to include in the park sites in the State of Washington as well as the State of Oregon, and for other purposes.	H.R.	3819	Feb. 24, 2004	Res	ENR	June 25, 2004		570		July 19, 2004	Oct. 10, 2004	Oct. 30, 2004	387
To designate the facility of the United States Postal Service located at 555 West 180th Street in New York, New York, as the "Sergeant Riayan A. Tejeda Post Office".	H.R.	4046	Mar. 25, 2004	GR						Sept. 28, 2004	Oct. 10, 2004	Oct. 30, 2004	388

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			House	Senate	House	Senate	House 108	Senate 108	House	Senate	Date approved	No. 108
To provide for the conveyance of certain land to the United States and to revise the boundary of Chickasaw National Recreation Area, Oklahoma, and for other purposes.	H.R. 4066	Mar. 30, 2004	Res		Sept. 28, 2004		702		Sept. 28, 2004	Oct. 10, 2004	Oct. 30, 2004	389
To amend section 274A of the Immigration and Nationality Act to improve the process for verifying an individual's eligibility for employment.	H.R. 4306	May 6, 2004	Jud		Oct. 5, 2004		731		Oct. 6, 2004	Oct. 11, 2004	Oct. 30, 2004	390
Expressing the sense of the Congress in recognition of the contributions of the seven Columbia astronauts by supporting establishment of a Columbia Memorial Space Science Learning Center.	H.J. Res. 57	May 22, 2003	Sci						Oct. 5, 2004	Oct. 10, 2004	Oct. 30, 2004	391
To designate the facility of the United States Postal Service located at 2811 Springdale Avenue in Springdale, Arkansas, as the "Harvey and Bernice Jones Post Office Building".	H.R. 4381	May 18, 2004	GR	GA					Sept. 7, 2004	Oct. 10, 2004	Oct. 30, 2004	392
To clarify the loan guarantee authority under title VI of the Native American Housing Assistance and Self-Determination Act of 1996.	H.R. 4471	June 1, 2004	FS	IA	June 17, 2004		550		June 21, 2004	Oct. 11, 2004	Oct. 30, 2004	393
To amend Public Law 86-434 establishing Wilson's Creek National Battlefield in the State of Missouri to expand the boundaries of the park, and for other purposes.	H.R. 4481	June 2, 2004	Res	ENR	Sept. 7, 2004		651		Sept. 13, 2004	Oct. 10, 2004	Oct. 30, 2004	394
To designate the facility of the United States Postal Service located at 1115 South Clinton Avenue in Dunn, North Carolina, as the "General William Carey Lee Post Office Building".	H.R. 4556	June 14, 2004	GR	GA					Sept. 7, 2004	Oct. 10, 2004	Oct. 30, 2004	395
To modify the boundary of the Harry S Truman National Historic Site in the State of Missouri, and for other purposes.	H.R. 4579	June 15, 2004	Res		Sept. 28, 2004		703		Sept. 28, 2004	Oct. 10, 2004	Oct. 30, 2004	396
To designate the facility of the United States Postal Service located at 10 West Prospect Street in Nanuet, New York, as the "Anthony I. Lombardi Memorial Post Office Building".	H.R. 4618	June 18, 2004	GR	GA					Sept. 7, 2004	Oct. 10, 2004	Oct. 30, 2004	397
To designate the facility of the United States Postal Service located at 19504 Linden Boulevard in St. Albans, New York, as the "Archie Spigner Post Office Building".	H.R. 4632	June 21, 2004	GR	GA					Sept. 13, 2004	Oct. 10, 2004	Oct. 30, 2004	398
To amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program.	H.R. 4731	June 25, 2004	TI		Sept. 13, 2004		678		Sept. 29, 2004	Oct. 11, 2004	Oct. 30, 2004	399
To amend the Colorado Canyons National Conservation Area and Black Ridge Canyons Wilderness Act of 2000 to rename the Colorado Canyons National Conservation Area as the McInnis Canyons National Conservation Area.	H.R. 4827	July 13, 2004	Res						Sept. 28, 2004	Oct. 10, 2004	Oct. 30, 2004	400
To amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States for fiscal years 2005, 2006, and 2007, and for other purposes.	H.R. 4917	July 22, 2004	Jud						Oct. 8, 2004	Oct. 11, 2004	Oct. 30, 2004	401

To designate the facility of the United States Postal Service located at 411 Midway Avenue in Mascotte, Florida, as the "Specialist Eric Ramirez Post Office".	H.R.	5027	Sept. 8, 2004	GR						Sept. 28, 2004	Oct. 10, 2004	Oct. 30, 2004	402
To designate the facility of the United States Postal Service located at United States Route 1 in Ridgeway, North Carolina, as the "Eva Holtzman Post Office".	H.R.	5039	Sept. 9, 2004	GR	GA					Sept. 22, 2004	Oct. 10, 2004	Oct. 30, 2004	403
To designate the facility of the United States Postal Service located at 1001 Williams Street in Ignacio, Colorado, as the "Leonard C. Burch Post Office Building".	H.R.	5051	Sept. 9, 2004	GR						Oct. 6, 2004	Oct. 10, 2004	Oct. 30, 2004	404
To protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.	H.R.	5107	Sept. 21, 2004	Jud		Sept. 30, 2004		711		Oct. 6, 2004	Oct. 9, 2004	Oct. 30, 2004	405
To provide assistance to Special Olympics to support expansion of Special Olympics and development of education programs and a Healthy Athletes Program, and for other purposes.	H.R.	5131	Sept. 23, 2004	EWf IR EC						Oct. 6, 2004	Oct. 10, 2004	Oct. 30, 2004	406
To designate the facility of the United States Postal Service located at 11110 Sunset Hills Road in Reston, Virginia, as the "Martha Pennino Post Office Building".	H.R.	5133	Sept. 23, 2004	GR						Sept. 28, 2004	Oct. 10, 2004	Oct. 30, 2004	407
To designate the facility of the United States Postal Service located at 23055 Sherman Way in West Hills, California, as the "Evan Asa Ashcraft Post Office Building".	H.R.	5147	Sept. 24, 2004	GR						Sept. 28, 2004	Oct. 10, 2004	Oct. 30, 2004	408
To reduce certain special allowance payments and provide additional teacher loan forgiveness on Federal student loans.	H.R.	5186	Sept. 30, 2004	EWf						Oct. 7, 2004	Oct. 9, 2004	Oct. 30, 2004	409
To amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.	H.R.	5294	Oct. 8, 2004	TI						Oct. 8, 2004	Oct. 11, 2004	Oct. 30, 2004	410
To provide for reform relating to Federal employment, and for other purposes.	S.	129	Jan. 9, 2003	GR	GA	Oct. 5, 2004	Jan. 27, 2004	733	223	Oct. 6, 2004	April 8, 2004	Oct. 30, 2004	411
To require the Secretary of Agriculture to establish a program to provide assistance through States to eligible weed management entities to control or eradicate noxious weeds on public and private land.	S.	144	Jan. 13, 2003	Res Agr	ENR	June 1, 2004	Feb. 11, 2003	517	6	Oct. 4, 2004	Mar. 4, 2003	Oct. 30, 2004	412
To authorize the Secretary of the Interior, in cooperation with the University of New Mexico, to construct and occupy a portion of the Hibben Center for Archaeological Research at the University of New Mexico.	S.	643	Mar. 18, 2003	Res	ENR		July 11, 2003	.....	94	Sept. 28, 2004	July 17, 2003	Oct. 30, 2004	413
To foster local collaborations which will ensure that resources are effectively and efficiently used within the criminal and juvenile justice systems.	S.	1194	June 5, 2003	Jud	Jud	Oct. 5, 2004	Oct. 23, 2003	732	0	Oct. 6, 2004	Oct. 27, 2003	Oct. 30, 2004	414
To amend title 31 of the United States Code to increase the public debt limit.	S.	2986	Nov. 16, 2004			.....	.....	.....	.....	Nov. 18, 2004	Nov. 17, 2004	Nov. 19, 2004	415

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			House	Senate	House	Senate	House 108	Senate 108	House	Senate	Date approved	No. 108
Making further continuing appropriations for the fiscal year 2005, and for other purposes.	H.J. Res. 114	Nov. 19, 2004	App						Nov. 20, 2004	Nov. 20, 2004	Nov. 21, 2004	416
To authorize an exchange of land at Fort Frederica National Monument, and for other purposes.	H.R. 1113	Mar. 6, 2003	Res	ENR	July 14, 2003	Sept. 28, 2004	201	374	Sept. 23, 2003	Oct. 10, 2004	Nov. 30, 2004	417
To amend the Reclamation Projects Authorization and Adjustment Act of 1992 to increase the Federal share of the costs of the San Gabriel Basin demonstration project.	H.R. 1284	Mar. 13, 2003	Res	ENR	July 14, 2003	Aug. 25, 2004	204	331	Sept. 16, 2003	Sept. 15, 2004	Nov. 30, 2004	418
To amend title 17, United States Code, to replace copyright arbitration royalty panels with Copyright Royalty Judges, and for other pur poses.	H.R. 1417	Mar. 25, 2003	Jud	Jud	Jan. 30, 2004	Sept. 29, 2004	408	0	Mar. 3, 2004	Oct. 6, 2004	Nov. 30, 2004	419
To support the efforts of the California Missions Foundation to restore and repair the Spanish colonial and mission-era missions in the State of California and to preserve the artworks and artifacts of these missions, and for other purposes.	H.R. 1446	Mar. 26, 2003	Res	ENR		Sept. 28, 2004	.....	375	Oct. 20, 2003	Oct. 10, 2004	Nov. 30, 2004	420
To assist the States of Connecticut, New Jersey, New York, and Pennsylvania in conserving priority lands and natural resources in the Highlands region, and for other purposes.	H.R. 1964	May 6, 2003	Res Agr	ENR	Nov. 17, 2003	Sept. 28, 2004	373	376	Nov. 21, 2003	Oct. 10, 2004	Nov. 30, 2004	421
To amend title 38, United States Code, to authorize the principal office of the United States Court of Appeals for Veterans Claims to be at any location in the Washington, D.C., metropolitan area, rather than only in the District of Columbia, and expressing the sense of Congress that a dedicated Veterans Courthouse and Justice Center should be provided for that Court and those it serves and should be located, if feasible, at a site owned by the United States that is part of or proximate to the Pentagon Reservation, and for other purposes.	H.R. 3936 (S. 2485)	Mar. 11, 2004	VA AS-H	VA	June 25, 2004	Sept. 27, 2004	574	358	July 20, 2004	Oct. 9, 2004	Nov. 30, 2004	422
To require the Secretary of Energy to carry out a program of research and development to advance high-end computing.	H.R. 4516	June 4, 2004	Sci	ENR	July 1, 2004	Sept. 28, 2004	578	379	July 7, 2004	Oct. 10, 2004	Nov. 30, 2004	423
To establish wilderness areas, promote conservation, improve public land, and provide for the high quality development in Lincoln County, Nevada, and for other purposes.	H.R. 4593	June 16, 2004	Res		Oct. 4, 2004	.....	720	.....	Oct. 4, 2004	Oct. 10, 2004	Nov. 30, 2004	424
To amend the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000 to extend the authorization of appropriations, and for other purposes.	H.R. 4794	July 9, 2004	TI IR		Sept. 15, 2004	.....	688	.....	Oct. 7, 2004	Nov. 16, 2004	Nov. 30, 2004	425
To amend title 49, United States Code, to provide the Department of Transportation a more focused research organization with an emphasis on innovative technology, and for other purposes.	H.R. 5163	Sept. 29, 2004	TI EC Sci		Oct. 6, 2004	.....	749	.....	Oct. 7, 2004	Nov. 16, 2004	Nov. 30, 2004	426
To expand research information regarding multidisciplinary research projects and epidemiological studies.	H.R. 5213	Oct. 5, 2004	EC WM			.....	.....	.....	Oct. 7, 2004	Nov. 16, 2004	Nov. 30, 2004	427

To extend the liability indemnification regime for the commercial space transportation industry.	H.R. 5245	Oct. 7, 2004	Sci						Oct. 8, 2004	Nov. 16, 2004	Nov. 30, 2004	428
To amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes.	H.R. 1047 (S. 671)	Mar. 4, 2003	WM					28	Mar. 5, 2003	Mar. 4, 2004	Dec. 3, 2004	429
To revise the boundary of the Petrified Forest National Park in the State of Arizona, and for other purposes.	H.R. 1630	April 3, 2003	Res		Sept. 30, 2004		713		Oct. 4, 2004	Oct. 10, 2004	Dec. 3, 2004	430
To reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government.	H.R. 2912	July 25, 2003	Res	IA	May 19, 2004	Sept. 15, 2004	502	343	June 1, 2004	Nov. 19, 2004	Dec. 3, 2004	431
Recognizing the 60th anniversary of the Battle of the Bulge during World War II.	H.J. Res. 110	Oct. 8, 2004	IR						Nov. 16, 2004	Nov. 19, 2004	Dec. 3, 2004	432
Appointing the day for convening of the first session of the One Hundred Ninth Congress.	H.J. Res. 111	Nov. 17, 2004							Nov. 17, 2004	Nov. 19, 2004	Dec. 3, 2004	433
Making further continuing appropriations for the fiscal year 2005, and for other purposes.	H.J. Res. 115	Nov. 24, 2004	App						Nov. 24, 2004	Nov. 24, 2004	Dec. 3, 2004	434
To make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act.	S. 150	Jan. 15, 2003		CST Fin		Sept. 29, 2003		155	Nov. 19, 2004	April 29, 2004	Dec. 3, 2004	435
To authorize the Secretary of Agriculture to sell or exchange all or part of certain parcels of National Forest System land in the State of Idaho and use the proceeds derived from the sale or exchange for National Forest System purposes.	S. 434	Feb. 25, 2003	Res	ENR	Oct. 6, 2004	Aug. 26, 2003	740	132	Nov. 17, 2004	Nov. 24, 2003	Dec. 3, 2004	436
To implement the recommendations of the Garrison Unit Joint Tribal Advisory Committee by providing authorization for the construction of a rural health care facility on the Fort Berthold Indian Reservation, North Dakota.	S. 1146	May 23, 2003	Res EC	IA	June 3, 2004	Oct. 15, 2003	523	165	Nov. 17, 2004	Oct. 27, 2003	Dec. 3, 2004	437
To establish the Kate Mullany National Historic Site in the State of New York, and for other purposes.	S. 1241	June 11, 2003	Res	ENR		July 7, 2004		295	Nov. 17, 2004	Sept. 15, 2004	Dec. 3, 2004	438
To authorize additional appropriations for the Reclamation Safety of Dams Act of 1978.	S. 1727	Oct. 14, 2003		ENR		July 7, 2004		296	Nov. 17, 2004	Sept. 15, 2004	Dec. 3, 2004	439
To designate the facility of the United States Postal Service located at 3150 Great Northern Avenue in Missoula, Montana, as the "Mike Mansfield Post Office".	S. 2214	Mar. 12, 2004	GR	GA		June 7, 2004		0	Nov. 16, 2004	June 9, 2004	Dec. 3, 2004	440
To improve access to physicians in medically underserved areas.	S. 2302	April 7, 2004		Jud		Oct. 7, 2004		0	Nov. 17, 2004	Oct. 11, 2004	Dec. 3, 2004	441
To designate the facility of the United States Postal Service located at 1050 North Hills Boulevard in Reno, Nevada, as the "Guardians of Freedom Memorial Post Office Building" and to authorize the installation of a plaque at such site, and for other purposes.	S. 2640	July 13, 2004		GA		July 22, 2004		0	Nov. 16, 2004	July 22, 2004	Dec. 3, 2004	442
To designate the facility of the United States Postal Service located at 1475 Western Avenue, Suite 45, in Albany, New York, as the "Lieutenant John F. Finn Post Office".	S. 2693	July 20, 2004	GR	GA					Nov. 16, 2004	Oct. 10, 2004	Dec. 3, 2004	443
To amend the Livestock Mandatory Price Reporting Act of 1999 to modify the termination date for mandatory price reporting.	S. 2965	Oct. 8, 2004	Agr						Nov. 17, 2004	Oct. 8, 2004	Dec. 3, 2004	444

Title	Bill No.	Date introduced	Committee		Date Reported		Report No.		Date of passage		Public Law	
			House	Senate	House	Senate	House 108	Senate 108	House	Senate	Date approved	No. 108
To amend title 38, United States Code, to simplify and improve pay provisions for physicians and dentists, to authorize alternate work schedules and executive pay for nurses.	S. 2484 (H.R. 4175)	June 1, 2004		VA	June 3, 2004	Sept. 23, 2004	524	357	Nov. 17, 2004	Oct. 5, 2004	Dec. 3, 2004	445
To reauthorize the Individuals with Disabilities Education Act, and for other purposes.	H.R. 1350 (S. 1248)	Mar. 19, 2003	EWI	HEL&P	April 29, 2003	Nov. 3, 2003	77	185	April 30, 2003	May 13, 2004	Dec. 3, 2004	446
Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and for other purposes.	H.R. 4818 (S. 2812)	July 15, 2004		App	.....	Sept. 16, 2004	599	346	July 15, 2004	Sept. 23, 2004	Dec. 8, 2004	447
To amend title XIX of the Social Security Act to extend medicare cost-sharing for the medicare part B premium for qualifying individuals through September 2005.	S. 2618	July 7, 2004	EC	Fin	.....	.....	.....	.....	Nov. 19, 2004	Nov. 16, 2004	Dec. 8, 2004	448
To amend and extend the Irish Peace Process Cultural and Training Program Act of 1998.	H.R. 2655	June 26, 2003	Jud	FR	Sept. 4, 2003		260	.....	Oct. 7, 2003	Nov. 19, 2004	Dec. 10, 2004	449
To amend title 21, District of Columbia Official Code, to enact the provisions of the Mental Health Civil Commitment Act of 2002 which affect the Commission on Mental Health and require action by Congress in order to take effect.	H.R. 4302	May 6, 2004	IR GR		Oct. 5, 2004	.....	729	.....	Oct. 6, 2004	Nov. 20, 2004	Dec. 10, 2004	450
To provide for adjustments to the Central Arizona Project in Arizona, to authorize the Gila River Indian Community water rights settlement, to reauthorize and amend the Southern Arizona Water Rights Settlement Act of 1982, and for other purposes.	S. 437	Feb. 25, 2003		ENR	.....	Sept. 28, 2004	.....	360	Nov. 17, 2004	Oct. 10, 2004	Dec. 10, 2004	451
To facilitate the transfer of land in the State of Alaska, and for other purposes.	S. 1466	July 25, 2003	Res	ENR			.....	.....	Nov. 17, 2004	Oct. 10, 2004	Dec. 10, 2004	452
To amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises.	S. 2192	Mar. 10, 2004		Jud	.....	April 29, 2004	.....	0	Nov. 20, 2004	June 25, 2004	Dec. 10, 2004	453
To amend title 38, United States Code, to improve and enhance education, housing, employment, medical, and other benefits for veterans and to improve and extend certain authorities relating to the administration or benefits for veterans, and for other purposes.	S. 2486 (H.R. 1716)	June 1, 2004	VA	VA	June 25, 2004	Sept. 20, 2004	572	352	Nov. 17, 2004	Oct. 8, 2004	Dec. 10, 2004	454
To extend the authority of the United States District Court for the Southern District of Iowa to hold court in Rock Island, Illinois.	S. 2873	Sept. 30, 2004		Jud	.....		.....	.....	Nov. 20, 2004	Nov. 19, 2004	Dec. 10, 2004	455
To reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, and for other purposes.	S. 3014	Nov. 19, 2004			.....	.....	.....	.....	Nov. 20, 2004	Nov. 19, 2004	Dec. 10, 2004	456
To amend the District of Columbia College Access Act of 1999 to reauthorize for 5 additional years the public school and private school tuition assistance programs established under the Act.	H.R. 4012	Mar. 23, 2004	GR	GA	June 8, 2004	July 22, 2004	527	0	July 14, 2004	Nov. 24, 2004	Dec. 17, 2004	457
To reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, and for other purposes.	S. 2845	Sept. 23, 2004			.....	.....	.....	.....	Oct. 16, 2004	Oct. 6, 2004	Dec. 17, 2004	458

To redesignate the facility of the United States Postal Service located at 747 Broadway in Albany, New York, as the "United States Postal Service Henry Johnson Annex".	H.R. 480	Jan. 29, 2003	GR						Sept. 22, 2004	Dec. 7, 2004	Dec. 21, 2004	459
To provide for the conveyance of Federal lands, improvements, equipment, and resource materials at the Oxford Research Station in Granville County North Carolina, to the State of North Carolina.	H.R. 2119	May 15, 2003	Agr GR						Oct. 5, 2004	Dec. 7, 2004	Dec. 21, 2004	460
To designate the United States courthouse located at 125 Bull Street in Savannah, Georgia, as the "Tomochichi United States Courthouse".	H.R. 2523	June 19, 2003	TI	EPW	Mar. 25, 2004		447		May 11, 2004	Dec. 7, 2004	Dec. 21, 2004	461
To designate the facility of the United States Geological Survey and the United States Bureau of Reclamation located at 230 Collins Road, Boise, Idaho, as the "F.H. Newell Building".	H.R. 3124	Sept. 17, 2003	TI						Sept. 29, 2004	Dec. 7, 2004	Dec. 21, 2004	462
To designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the "James V. Hansen Federal Building".	H.R. 3147	Sept. 23, 2003	TI	EPW	Mar. 25, 2004		449		April 21, 2004	Dec. 7, 2004	Dec. 21, 2004	463
To require the Secretary of the Treasury to mint coins in commemoration of the tercentenary of the birth of Benjamin Franklin, and for other purposes.	H.R. 3204	Sept. 30, 2003	FS						Nov. 17, 2004	Dec. 7, 2004	Dec. 21, 2004	464
To ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the competitiveness of United States-grown specialty crops, and for other purposes.	H.R. 3242	Oct. 2, 2003	Agr WM		Oct. 6, 2004		750		Oct. 7, 2004	Dec. 7, 2004	Dec. 21, 2004	465
To designate the Federal building located at Fifth and Richardson Avenues in Roswell, New Mexico, as the "Joe Skeen Federal Building".	H.R. 3734	Jan. 27, 2004	TI		July 12, 2004		596		Sept. 22, 2004	Dec. 7, 2004	Dec. 21, 2004	466
To designate the Federal building and United States courthouse located at 615 East Houston Street in San Antonio, Texas, as the "Hipolito F. Garcia Federal Building and United States Courthouse".	H.R. 3884	Mar. 3, 2004	TI	EPW	June 21, 2004		557		July 21, 2004	Dec. 7, 2004	Dec. 21, 2004	467
To redesignate the facility of the United States Postal Service located at 4025 Feather Lakes Way in Kingwood, Texas, as the "Congressman Jack Fields Post Office".	H.R. 4232	April 28, 2004	GR						Oct. 6, 2004	Dec. 7, 2004	Dec. 21, 2004	468
To amend chapter 84 of title 5, United States Code, to provide for Federal employees to make elections to make, modify, and terminate contributions to the Thrift Savings Fund at any time, and for other puproses.	H.R. 4324	May 11, 2004	GR						Nov. 19, 2004	Dec. 7, 2004	Dec. 21, 2004	469
To confirm the authority of the Secretary of Agriculture to collect approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans.	H.R. 4620	June 18, 2004	Agr						Oct. 5, 2004	Dec. 7, 2004	Dec. 21, 2004	470
To designate the facility of the United States Postal Service located at 140 Sacramento Street in Rio Vista, California, as the "Adam G. Kinser Post Office Building".	H.R. 4807	July 9, 2004	GR						Oct. 6, 2004	Dec. 7, 2004	Dec. 21, 2004	471
To designate the facility of the United States Postal Service located at 560 Bay Isles Road in Longboat Key, Florida, as the "Lieutenant General James V. Edmundson Post Office Building".	H.R. 4847	July 15, 2004	GR						Oct. 6, 2004	Dec. 7, 2004	Dec. 21, 2004	472

Title	Bill No.	Date introduced	Committee		Date Reported		Report No.		Date of passage		Public Law	
			House	Senate	House	Senate	House 108	Senate 108	House	Senate	Date approved	No. 108
To designate the facility of the United States Postal Service located at 25 McHenry Street in Rosine, Kentucky, as the "Bill Monroe Post Office".	H.R. 4968	July 22, 2004	GR						Oct. 6, 2004	Dec. 7, 2004	Dec. 21, 2004	473
To authorize grants to establish academies for teachers and students of American history and civics, and for other purposes.	H.R. 5360	Nov. 16, 2004	EWT						Nov. 19, 2004	Dec. 7, 2004	Dec. 21, 2004	474
To designate the facility of the United States Postal Service located at 5505 Stevens Way in San Diego, California, as the "Earl B. Gilliam/Imperial Avenue Post Office Building".	H.R. 5364	Nov. 16, 2004	GR						Nov. 17, 2004	Dec. 7, 2004	Dec. 21, 2004	475
To treat certain arrangements maintained by the YMCA Retirement Fund as church plans for the purposes of certain provisions of the Internal Revenue Code of 1986, and for other purposes.	H.R. 5365	Nov. 16, 2004	WM EWT						Nov. 19, 2004	Dec. 7, 2004	Dec. 21, 2004	476
To designate the facility of the United States Postal Service located at 4985 Moorhead Avenue in Boulder, Colorado, as the "Donald G. Brotzman Post Office Building".	H.R. 5370	Nov. 16, 2004	GR						Nov. 19, 2004	Dec. 7, 2004	Dec. 21, 2004	477
To designate the facility of the United States Postal Service located at 103 East Kleberg in Kingsville, Texas, as the "Irma Rangel Post Office Building".	H.R. 4829	July 14, 2004	GR						Oct. 6, 2004	Dec. 7, 2004	Dec. 21, 2004	478
Recognizing the 60th anniversary of the Battle of Peleliu and the end of Imperial Japanese control of Palau during World War II and urging the Secretary of the Interior to work to protect the historic sites of the Peleliu Battlefield National Historic Landmark and to establish commemorative programs honoring the Americans who fought there.	H.J. Res. 102	Sept. 9, 2004	Res						Sept. 28, 2004	Dec. 7, 2004	Dec. 21, 2004	479
To authorize funds for an educational center for the Castillo de San Marcos National Monument, and for other purposes.	H.R. 2457	June 12, 2003	Res	ENR	Sept. 7, 2004		639		Sept. 13, 2004	Dec. 8, 2004	Dec. 23, 2004	480
To provide for the expansion of Kilauea Point National Wildlife Refuge.	H.R. 2619	June 26, 2003	Res	EPW	June 3, 2004		522		July 19, 2004	Dec. 8, 2004	Dec. 23, 2004	481
To prevent and punish counterfeiting of copyrighted copies and phonorecords, and for other purposes.	H.R. 3632	Nov. 21, 2003	Jud	Jud	July 13, 2004		600		Sept. 21, 2004	Dec. 8, 2004	Dec. 23, 2004	482
To authorize the exchange of certain land in Everglades National Park.	H.R. 3785	Feb. 10, 2004	Res		June 1, 2004		516		July 19, 2004	Dec. 8, 2004	Dec. 23, 2004	483
To amend the Foreign Assistance Act of 1961 to improve the results and accountability of microenterprise development assistance programs, and for other purposes.	H.R. 3818	Feb. 24, 2004	IR		April 2, 2004		459		Nov. 20, 2004	Dec. 8, 2004	Dec. 23, 2004	484
To authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center.	H.R. 4027	Mar. 24, 2004	Res	CST	Sept. 8, 2004		665		Sept. 13, 2004	Dec. 8, 2004	Dec. 23, 2004	485

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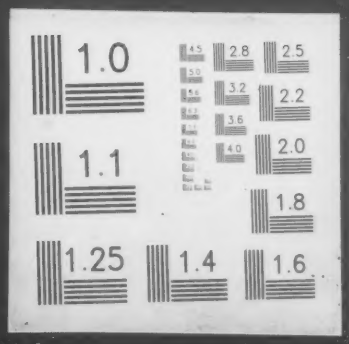
Title	Bill No.	Date introduced	Committee		Date Reported		Report No.		Date of passage		Public Law	
			House	Senate	House	Senate	House 108	Senate 108	House	Senate	Date approved	No. 108
To amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, and for other purposes.	S. 1301	June 19, 2003	Jud	Jud	May 20, 2004	July 24, 2003	504	0	Sept. 21, 2004	Sept. 25, 2003	Dec. 23, 2004	495
To amend part III of title 5, United States Code, to provide for the establishment of programs under which supplemental dental and vision benefits are made available to Federal employees, retirees, and their dependents, to expand the contracting authority of the Office of Personnel Management, and for other purposes.	S. 2657	July 14, 2004		GA	.....	Oct. 8, 2004	.....	393	Dec. 6, 2004	Nov. 20, 2004	Dec. 23, 2004	496
To express the sense of Congress regarding the conflict in Darfur, Sudan, to provide assistance for the crisis in Darfur and for comprehensive peace in Sudan, and for other purposes.	S. 2781	Sept. 9, 2004	IR	FR			.....	.....	Nov. 19, 2004	Sept. 23, 2004	Dec. 23, 2004	497
To limit the transfer of certain Commodity Credit Coporation funds between conservation programs for technical assistance for the programs.	S. 2856	Sept. 28, 2004	Agr	ANF			.....	.....	Dec. 6, 2004	Oct. 11, 2004	Dec. 23, 2004	498

TABLE OF COMMITTEE ABBREVIATIONS

Agr .....Agriculture
ANF .....Agriculture, Nutrition, and Forestry
App .....Appropriations
AS-H .....Armed Services (House)
AS-S .....Armed Services (Senate)
BHUA ....Banking, Housing, and Urban Affairs
Bud .....Budget
CST .....Commerce, Science, and Transportation
EC .....Energy and Commerce
ENR .....Energy and Natural Resources
EPW .....Environment and Public Works
EWf .....Education and the Workforce
Fin .....Finance
FS .....Financial Services
FR .....Foreign Relations
GA .....Governmental Affairs
GR .....Government Reform
HEL&P ..Health, Education, Labor and Pensions
HA .....House Administration
IA .....Indian Affairs
Int .....Intelligence
IR .....International Relations
Jud .....Judiciary
R .....Rules
RAdm ....Rules and Administration
Res .....Resources
Sci .....Science
HS .....Select Committee on Homeland Security
SB .....Small Business
SBE .....Small Business and Entrepreneurship
SOC .....Standards of Official Conduct
TI .....Transportation and Infrastructure
VA .....Veterans' Affairs
WM .....Ways and Means

NOTE. The bill in parentheses is a companion measure.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